ADICO
CONSULTING ENGINEERS

MEMORANDIUM

Date: February 24, 2022

To: Mayor Michael Byrum-Bratsen

City Council Members

From: Dinh V. Ho, P.E.

RE: COIC Council Meeting – February 2022 Engineer's Report

cc: Robert Hemminger, Kayleen Rosser

The following is a status report of various engineering items:

1. TxDOT Overpasses:
   - We had our final coordination meeting with TxDOT in early February. Project is to be let in August 2022.
   - Temporary traffic signal at SH 288 and Meridiana Parkway: TxDOT has informed the City the project is scheduled for April 2022.

2. ROADWAY REPAIRS
   - RR Crossing at ICB south of SH 6 is closed due to damages to the crossing. Brazoria County is taking the lead on this repairs as the crossing is within it jurisdiction.
   - The City received confirmation from Brazoria County for CDBG-HUD funds. The City allocation this year is $140,000. Staff has identified CR 382 as the road to be repaired for this funding. We are awaiting confirmation on when they will start construction.
   - Interlocal with BC Agreement for FY 2021-2022 was approved 11/2021. Total estimate from BC: $278,390.34. Jeremy is awaiting a schedule from Brazoria County on when these improvements will be started.

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3. GRANTS UPDATE
   - TWBD- FIF GRANT – Master Drainage Plan
     i. The first Public Meeting was held on 2/23/2022.
     ii. Next scheduled meeting is expected in early April with details on CIP.

   - AMES ROAD BRIDGE
     i. We received two bids for this project. Both bids were significantly more than what was allocated to the City. We are evaluating options to determine how to fund an additional $130k to fund this project.

4. Capital Improvement Projects
   - 2021 Waterline Extension
     i. Currently in surveying
     ii. Design to begin in January, expected complete in April 2022, subject to pipeline approvals.

5. CONSTRUCTION PROJECT STATUS:
   A. *MERIDIANA SUBDIVISION – RISE COMMUNITIES*
      - Active construction projects
        - WFCB Detention Basin O and P and Earthwork – 55%
        - Meridiana 76B – 100% complet. On agenda for acceptance into the OYMP.
        - Merdiana 68 – 75% complete.
        - Meridiana 57 – 40% complete. First phase utility complete.
        - Meridiana 58A – 35% complete.
        - Pursley Blvd. – Has not started

B. STERLING LAKES – LAND TEJAS

- Active construction projects.
    - BCMUD 31 WWTP Expansion Ph IV – 99% complete. Awaiting punchlist items to be addressed. Awaiting final closeout documents.

C. SIERRA VISTA - LAND TEJAS

- Active construction projects
    - Meridiana Parkway Phase 5 – 95% complete, Awaiting completion of punch list.
    - Meridiana Parkway Phase 6 – 95% complete , Awaiting completion of punch list.
    - Meridiana Parkway Traffic Signal – 45% complete.

D. SIERRA VISTA WEST - LAND TEJAS

- Active construction projects:
    - Sierra Vista West Mass Grading and Detention Phase II – Awaiting final walk.
    - BCMUD 53 WWTP- 95% complete. Awaiting punchlist completion.
    - BCMUD 53 Offsite Lift Station – 95% complete. Awaiting punchlist completion.
    - Sierra Vista West Section 7 – Awaiting completion of punch list.
    - BCMUD 53 Lift Station No. 2 – Has not started.
    - Sierra Vista West Section 8 – 70% complete.
    - Sierra Vista West Section 9 – 45% complete

E. STERLING LAKES NORTH

- Active construction projects:
    - Sterling Lakes North Detention Basin – 20% complete.

F. OTHER CONSTRUCTION PROJECTS

- AISD H.S. No. 4 – 90% of civil complete internally.
- Davenport/Discovery Drive: 60% complete.
- 3321 MER Pkwy 7 Eleven Store: 40%

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6. OTHER ITEMS:
    A. Baymark Pipeline/ South Texas NGL Pipeline

IOWA COLONY
POLICE DEPARTMENT

12003 Iowa Colony Blvd.
Iowa Colony, Texas 77583

Aaron I. Bell
Chief of Police

Phone: (281) 369-3444
Fax: (281) 406-3722

January 18, 2022

To: Honorable Mayor Michael Byrum-Bratsen
Members of Council
City Manager Robert Hemminger

From: Chief of Police Aaron I. Bell

Ref: 2021 Racial Profiling Report

In accordance with the Code of Criminal Procedure Article 2.134, Compilation and Analysis of Information Collected; I am presenting to you, the Racial Profiling report for 2021. Attached with this letter you will find the compilation of data collected as well as the analysis of the data conducted by Dr. Alex del Carmen for the 2021 reporting year.

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Article 2.133 of the code of Criminal Procedure requires law enforcement agencies that routinely make traffic stops to collect data related to these stops. Motor vehicle stops are self-initiated stops the officers conduct not relating to calls for service. Before the introduction of Senate Bill 1849 (Sandra Bland Act), agencies had three ways to collect and report the data. The levels of reporting were "Tier 1 - Full Reporting"; agencies who did not have audio/visual recording equipment installed in their patrol units and could not keep video for 90 days have to submit a full report. "Tier 2 – Partial Exemption"; agencies that had audio/visual recording equipment installed in their patrol units and had storage capabilities of 90 days submitted a partial exemption report. Agencies that did not make traffic stops filed the "Exemption" report.

The Texas legislature passed the Sandra Bland Act in September 2017. This new legislation changed the way agencies compiled and reports racial profiling data; effective January 1, 2018, these changes went into effect. Agencies are now required to complete and submit full reports of the racial profiling data. Along with the reporting changes there were changes made in the collection of data.

The attached report will also be reported to the Texas Commission on Law Enforcement (TCOLE) as well as being placed on the city website for anyone to access.

Feel free to contact me, should you have any questions.

Aaron I. Bell
Chief of Police

2021 Racial Profiling Report

Iowa Colony Police Department

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"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."

-Quote by Geneva Reed (Mother of Sandra Bland)

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January 12, 2022
Iowa Colony Council
12003 Iowa Colony Boulevard
Iowa Colony, Texas 77583

Dear Distinguished Members of the City Council,

The Texas Legislature, with the intent of addressing the issue of racial profiling in policing, enacted in 2001, the Texas Racial Profiling Law. During the past year, the Iowa Colony Police Department, in accordance with the law, has collected and reported traffic and motor vehicle-related contact data for the purpose of identifying and addressing (if necessary) areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified and additional requirements were implemented. Moreover, in 2017, the Sandra Bland Act was passed and signed into law (along with HB 3051 which introduced new racial and ethnic designations). The Sandra Bland Law requires that law enforcement agencies in the state collect additional data and provide a more detailed analysis. All of these requirements have been met by the Iowa Colony Police Department and are included in this report.

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This particular report contains three sections with information on motor vehicle-related contact data. In addition, when appropriate, documentation is also a component of this report, aiming at demonstrating the manner in which the Iowa Colony Police Department has complied with the Texas Racial Profiling Law. In section 1, you will find the table of contents. In section 2, the report includes documentation which demonstrates compliance by the Iowa Colony Police Department relevant to the requirements as established in the Texas Racial Profiling Law. That is, you will find documents relevant to the training of all police personnel on racial profiling prevention and the institutionalization of the compliment and complaint processes, as required by law.

In section 3, the report includes statistical data relevant to contacts (as defined by the law) which were made during the course of motor vehicle stops that took place between 1/1/21 and 12/31/21. In addition, this section contains the Tier 2 form, which is required to be submitted to this particular organization and the law enforcement agency's local governing authority, by March 1st of each year. The data in this report has been analyzed and compared to information derived from the U.S. Census Bureau's Fair Roads Standard. The final analysis and recommendations are also included in this report.

The last section of the report contains the original draft of the Texas Racial Profiling Law, SB1074, as well as the Sandra Bland Act (current law). Also, in this section, a list of requirements relevant to the Racial Profiling Law, as established by TCOLE (Texas Commission on Law Enforcement) is included. The findings in this report serve as evidence of the Iowa Colony Police Department's commitment to comply with the Texas Racial Profiling Law.

Sincerely,

Alex del Carmen, Ph.D.

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LAW ENFORCEMENT EXPERTS

Public Education on Responding to Compliments and Complaints

Informing the Public on the Process of Filing a Compliment or Complaint with the Iowa Colony Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Iowa Colony Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Iowa Colony Police officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

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It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Iowa Colony Police officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Iowa Colony Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Iowa Colony has been included in this report.

It is important to recognize that the Chief of the Iowa Colony Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Iowa Colony Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.

Racial Profiling
Course Number 3256
Texas Commission on Law Enforcement
September 2001

Racial Profiling 3256

Instructor's Note:

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

Abstract

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

Target Population: Licensed law enforcement personnel in Texas

Prerequisites: Experience as a law enforcement officer

Length of Course: A suggested instructional time of 4 hours

Material Requirements: Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

Instructor Qualifications: Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

Evaluation Process and Procedures

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

Reference Materials

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at http://www.tcleose.state.tx.us.

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Racial Profiling 3256

1.0 RACIAL PROFILING AND THE LAW

1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.

1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.

Racial Profiling Requirements:

Racial profiling CCP 3.05
Racial profiling prohibited CCP 2.131
Law enforcement policy on racial profiling CCP 2.132
Reports required for traffic and pedestrian stops CCP 2.133
Liability CCP 2.136
Racial profiling education for police chiefs Education Code 96.641
Training program Occupations Code 1701.253
Training required for intermediate certificate Occupations Code 1701.402
Definition of "race or ethnicity" for form Transportation Code 543.202

A. Written departmental policies

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

B. Not prima facie evidence

C. Feasibility of use of video equipment

D. Data does not identify officer

E. Copy of complaint-related video evidence to officer in question

F. Vehicle stop report

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

G. Compilation and analysis of data

H. Exemption from reporting – audio/video equipment

I. Officer non-liability

J. Funding

K. Required training in racial profiling

1. Police chiefs

2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) – see legislation 77R-SB1074

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1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.

A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)

1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

C. Other cases

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)

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2.0 RACIAL PROFILING AND THE COMMUNITY

2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.

2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.

A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.

B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole .

C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.

D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.

E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.

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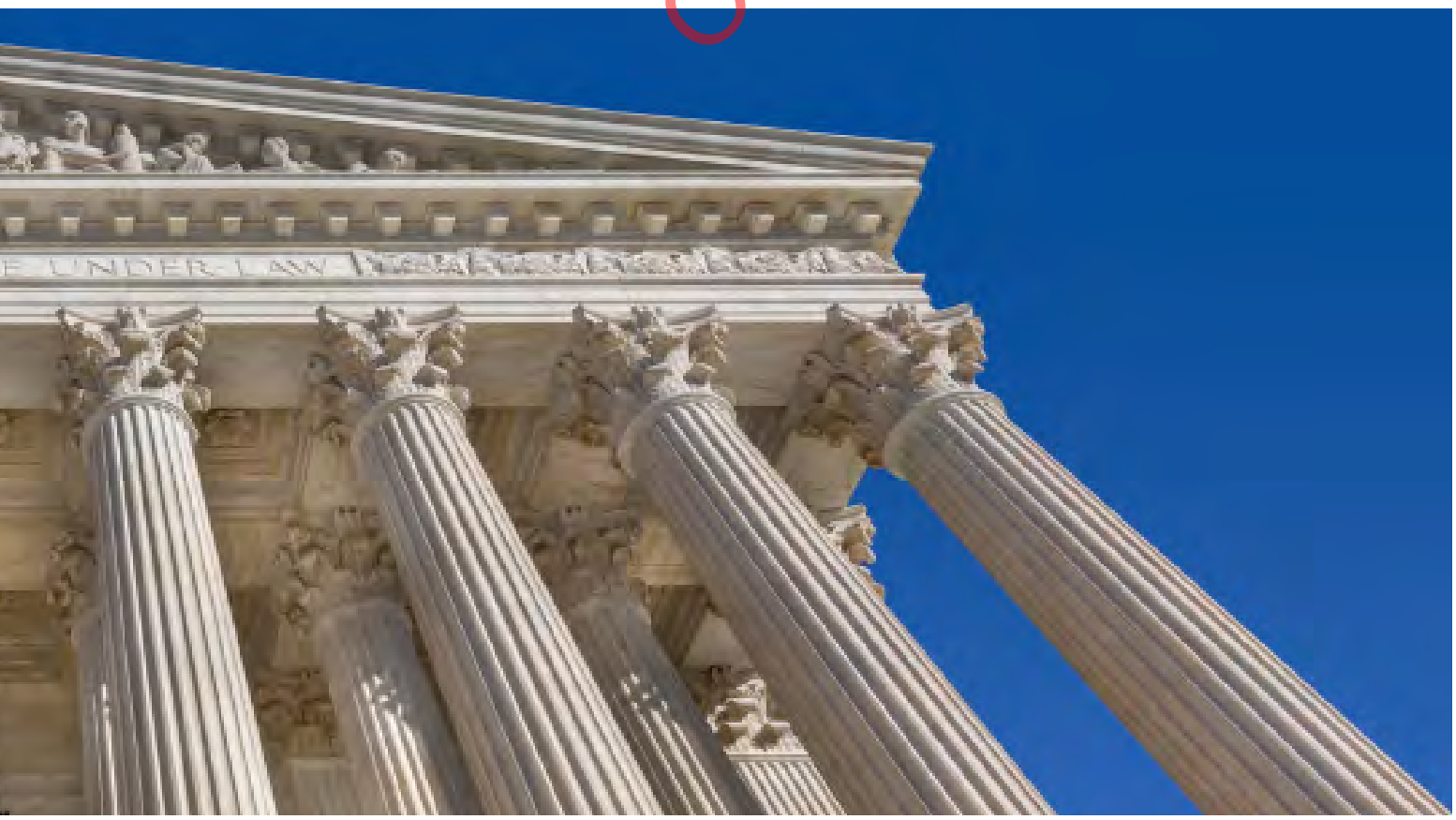

3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

3.1 UNIT GOAL: The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

3.1.1 LEARNING OBJECTIVE: The student will be able to identify elements of a racially motivated traffic stop.

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A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements

B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)

C. A typical traffic stop resulting from racial profiling

1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers

2. The driver and passengers are questioned about things that do not relate to the traffic violation

3. The driver and passengers are ordered out of the vehicle

4. The officers visually check all observable parts of the vehicle

5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside

6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)

3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.

A. Drug courier profile (adapted from a profile developed by the DEA)

1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
3. Vehicle is rented
4. Driver is a young male, 20-35
5. No visible luggage, even though driver is traveling
6. Driver was over-reckless or over-cautious in driving and responding to signals
7. Use of air fresheners

B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.

A. Thinking about the totality of circumstances in a vehicle stop

B. Vehicle exterior

1. Non-standard repainting (esp. on a new vehicle)
2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)

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C. Pre-stop indicators

1. Not consistent with traffic flow
2. Driver is overly cautious, or driver/passengers repeatedly look at police car
3. Driver begins using a car- or cell-phone when signaled to stop
4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)

D. Vehicle interior

1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

Resources

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074: http://tlo2.tlc.state.tx.us/tlo/77r/billtext/SB01074F.htm

Report on Compliments and Racial Profiling Complaints

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Report on Complaints

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/21-12/31/21 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.

☐

A check above indicates that the Iowa Colony Police Department has not received any complaints, on any members of its police force, for having violated the Texas Racial Profiling Law during the time period of 1/1/21-12/31/21.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law

Complaint Number	Alleged Violation	Disposition of the Case
1	Racial Profiling Complaint	Unfounded

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Additional Comments:

Tables Illustrating Motor Vehicle-Related Contacts Tier 2 Data

TOTAL STOPS: 3,012

STREET ADDRESS OR APPROXIMATE LOCATION OF STOP.

City Street	1,811
US Highway	21
County Road	1,177
State Highway	2
Private Property	1

WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?

Yes	1
No	3,011

RACE OR ETHNICITY

Alaska Native/American Indian	2
Asian/Pacific Islander	105
Black	1,306
White	666
Hispanic/Latino	933

GENDER

Female Total: 1,029

Alaska Native/American Indian	1
Asian/Pacific Islander	32
Black	537
White	232
Hispanic/Latino	227

Male Total: 1,983

Alaska Native/American Indian	1
Asian/Pacific Islander	73
Black	769
White	434
Hispanic/Latino	706

REASON FOR STOP?

Violation of Law Total: 15

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	3
White	4
Hispanic/Latino	8

Pre-existing Knowledge Total: 10

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	6
White	2
Hispanic/Latino	1

Moving Traffic Violation Total: 2,505

Alaska Native/American Indian	2
Asian/Pacific Islander	97
Black	1,078
White	575
Hispanic/Latino	753

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TIER 2 DATA CONTINUED

Vehicle Traffic Violation Total: 482

Alaska Native/American Indian	0
Asian/Pacific Islander	7
Black	219
White	85
Hispanic/Latino	171

WAS SEARCH CONDUCTED?

	YES	NO
Alaska Native/American Indian	0	2
Asian/Pacific Islander	0	105
Black	13	1,293
White	2	664
Hispanic/Latino	8	925
TOTAL	**23**	**2,989**

REASON FOR SEARCH?

Consent Total: 2

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	1
Hispanic/Latino	0

Contraband (in plain view) Total: 3

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	3

Probable Cause Total: 16

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	11
White	1
Hispanic/Latino	4

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Inventory Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Incident to arrest Total: 2

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	0
Hispanic/Latino	1

TIER 2 DATA CONTINUED

WAS CONTRABAND DISCOVERED?

	YES	NO
Alaska Native/American Indian	0	0
Asian/Pacific Islander	0	0
Black	4	9
White	1	1
Hispanic/Latino	1	7
TOTAL	**6**	**17**

Did the finding result in arrest (total should equal previous column)?

	YES	NO
Alaska Native/American Indian	0	0
Asian/Pacific Islander	0	0
Black	0	4
White	0	1
Hispanic/Latino	0	1
TOTAL	**0**	**6**

DESCRIPTION OF CONTRABAND

Drugs Total: 4

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	3
White	1
Hispanic/Latino	0

Currency Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Weapons Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Alcohol Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	1

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TIER 2 DATA CONTINUED

Stolen Property Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Other Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	0
Hispanic/Latino	0

RESULT OF THE STOP

Verbal Warning Total: 41

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	18
White	13
Hispanic/Latino	9

Written Warning Total: 919

Alaska Native/American Indian	0
Asian/Pacific Islander	39
Black	427
White	231
Hispanic/Latino	222

Citation Total: 2,052

Alaska Native/American Indian	2
Asian/Pacific Islander	65
Black	861
White	422
Hispanic/Latino	702

Written Warning and Arrest Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Citation and Arrest Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Arrest Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

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ARREST BASED ON
Violation of Penal Code Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Violation of Traffic Law Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Violation of City Ordinance Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Outstanding Warrant Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Was physical force used resulting in bodily injury during the stop?

	YES	NO
Alaska Native/American Indian	0	2
Asian/Pacific Islander	0	105
Black	0	1,306
White	0	666
Hispanic/Latino	0	933
TOTAL	**0**	**3,012**

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Table 1. Citations and Warnings

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Race/ Ethnicity	All Contacts	Citations	Verbal Warning	Written Warning	Contact Percent	Citation Percent	Verbal Percent	Written Percent
Alaska Native/ American Indian	322	2	0	0	0%	0%	0%	0%
Asian/ Pacific Islander	105	65	1	39	3%	3%	2%	4%
Black	1,306	861	18	427	43%	42%	44%	46%
White	666	422	13	231	22%	21%	32%	25%
Hispanic/ Latino	933	702	9	222	31%	34%	22%	24%
TOTAL	3,012	2,051	41	919	100%	100%	100%	100%

Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison

Comparison of motor vehicle-related contacts with households that have vehicle access.

Race/Ethnicity	Contact Percentage	Households with Vehicle Access
Alaska Native/American Indian	0%	0%
Asian/Pacific Islander	3%	6%
Black	43%	26%
White	22%	50%
Hispanic/Latino	31%	17%
TOTAL	100%	99%

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Table 3. Motor Vehicle Searches and Arrests.

Race/Ethnicity	Searches	Consent Searches	Arrests
Alaska Native/American Indian	0	0	0
Asian/Pacific Islander	0	0	0
Black	13	1	0
White	2	1	0
Hispanic/Latino	8	0	0
TOTAL	23	2	0

Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury

Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury	Arrest	Location of Stop	Reason for Stop

Table 5. Search Data

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Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Found No	Arrests	Percent Searches	Percent Contraband Found	Percent No Contraband	Percent Arrest
Alaska Native/ American Indian	0	0	2	0	0%	0%	0%	0%
Asian/ Pacific Islander	0	0	105	0	0%	0%	3%	0%
Black	13	4	1,302	0	57%	67%	43%	0%
White	2	1	665	0	9%	17%	22%	0%
Hispanic/ Latino	8	1	932	0	35%	17%	31%	0%
TOTAL	23	6	3,006	0	100%	100%	100%	0%

Table 6. Report on Audits.

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/21-12/31/21.

Audit Data	Number of Data Audits Completed	Date of Completion	Outcome of Audit
	1	03/01/21	Data is accurate
	2	06/01/21	Data is accurate
	3	09/01/21	Data is accurate
	4	12/01/21	Data is accurate

ADDITIONAL COMMENTS:

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Table 7. Instance Where Force Resulted in Bodily Injury.

Race/Ethnicity	Number	Percent
Alaska Native/American Indian	0	0%
Asian/Pacific Islander	0	0%
Black	0	0%
White	0	0%
Hispanic/Latino	0	0%
TOTAL	0	0%

Table 8. Reason for Arrests from Vehicle Contact

Race/ Ethnicity	Violation of Penal Code	Violation of Traffic Law	Violation of City Ordinance	Outstanding Warrant	Percent Penal Code	Percent Traffic Law	Percent City Ordinance	Percent Warrant
Alaska Native/ American Indian	0	0	0	0	0%	0%	0%	0%
Asian/ Pacific Islander	0	0	0	0	0%	0%	0%	0%
Black	0	0	0	0	0%	0%	0%	0%
White	0	0	0	0	0%	0%	0%	0%
Hispanic/ Latino	0	0	0	0	0%	0%	0%	0%
TOTAL	0	0	0	0	0%	0%	0%	0%

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Table 9. Contraband Hit Rate

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate	Search Percent	Contraband Percent
Alaska Native/ American Indian	0	0	0%	0%	0%
Asian/ Pacific Islander	0	0	0%	0%	0%
Black	13	4	31%	57%	67%
White	2	1	50%	9%	17%
Hispanic/Latino	8	1	13%	35%	17%

Analysis and Interpretation

The Texas legislature, in 2001, passed Senate Bill 1074 which became the Texas Racial Profiling Law. This particular law came into effect on January 1, 2002 and required all police departments in Texas, to collect traffic-related data and report this information to their local governing authority by March 1st of each year. This law remained in place until 2009, when it was modified to include the collection and reporting of all motor vehicle related contacts where a citation was issued or an arrest made. Further, the modification to the law further requires that all police officers indicate whether or not they knew the race or ethnicity of individuals before detaining them. Further, it became a requirement that agencies report motor vehicle related data to their local governing authority and to the Texas Commission on Law Enforcement (TCOLE) by March 1st of each year. The purpose in collecting and disclosing this information has been to determine if police officers, in a particular municipality, are engaging in the practice of racially profiling minority motorists.

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In addition, the Texas Racial Profiling Law requires police departments to interpret motor vehicle-related data. Even though most researchers would probably agree with the fact that it is within the confines of good practice for police departments to be accountable to the citizenry while carrying a transparent image before the community, it is very difficult to determine if individual police officers are engaging in racial profiling, from a review and analysis of aggregate/institutional data. In other words, it is challenging for a reputable researcher to identify specific "individual" racist behavior from aggregate-level "institutional" data on traffic or motor vehicle-related contacts.

As mentioned earlier, in 2009, the Texas Legislature passed House Bill 3389, which modified the Racial Profiling Law by adding new requirements; this took effect on January 1st, 2010. These changes included, but are were not limited to, the re-definition of a contact to include motor vehicles where a citation was issued or an arrest made. In addition, it required police officers to indicate if they knew the race or ethnicity of the individual before detaining them. Also, the 2009 law required adding "middle eastern" to the racial and ethnic category and submitting the annual data report to TCOLE before March 1st of each year.

In 2017, the Texas Legislators passed H.B. 3051 which removed the Middle Eastern data requirement while standardizing the racial and ethnic categories relevant to the individuals that came in contact with the police. In addition, the Sandra Bland Act (S.B. 1849) was passed and became law. Thus, the most significant legislative mandate (Sandra Bland Act) in Texas history regarding data requirements on law enforcement contacts, became law and took effect on January 1, 2018. The Sandra Bland Act not only currently requires the extensive collection of data relevant to police motor vehicle contacts, but it also mandates for the data to be analyzed while addressing the following:

1. A comparative analysis of the information compiled (under Article 2.133):

a. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

b. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;

c. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches.

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2. *Information related to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.*

In an attempt to comply with The Texas Racial Profiling/Sandra Bland Law, the Iowa Colony Police Department commissioned the analysis of its 2021 contact data. Hence, two different types of data analyses were performed. The first of these involved a careful evaluation of the 2021 motor vehicle-related data. This particular analysis measured, as required by the law, the number and percentage of Whites, Blacks, Hispanics or Latinos, Asians and Pacific Islanders, Alaska Natives and American Indians (Middle Easterners and individuals belonging to the “other” category, as optional categories), that came in contact with the police in the course of a motor vehicle related contact, and were either issued a ticket, citation, warning were issued or an arrest was made. Also, included in this data were instances where a motor vehicle contact took place for an alleged violation of the law or ordinance. The Tier 2 data analysis included, but was not limited to, information relevant to the number and percentage of contacts by race/ethnicity, gender, reason for the stop, location of stop, searches while indicating the type of search performed, result of stop, basis of an arrest and use of physical force resulting in bodily injury.

It should be noted that the additional data analysis performed was based on a comparison of the 2021 motor vehicle contact data with a specific baseline. When reviewing this particular analysis, one should consider that there is disagreement, in the literature, regarding the appropriate baseline to be used when analyzing motor vehicle-related contact information. Of the baseline measures available, the Iowa Colony Police Department accepted our recommendation to rely, as a baseline measure, on the Fair Roads Standard. This particular baseline is based on data obtained through the U.S. Census Bureau (2020) relevant to the number of households that have access to vehicles while controlling for the race and ethnicity of the heads of households.

The census data presents challenges to any effort made at establishing a fair and accurate racial profiling analysis. That is, census data contains information on all residents of a particular community, regardless of the fact they may or may not be among the driving population. Further, census data, when used as a baseline of comparison, presents the challenge that it captures information related to city residents only. Thus, excluding individuals who may have come in contact with the Iowa Colony Police Department in 2021 but live outside city limits. In some cases, the percentage of the population that comes in contact with the police but lives outside city limits represents a substantial volume of all motor vehicle-related contacts made in a given year.

In 2002, several civil rights groups in Texas expressed their desire and made recommendations to the effect that all police departments should rely, in their data analysis, on the Fair Roads Standard. This source contains census data specific to the number of "households" that have access to vehicles. Thus, proposing to compare "households" (which may have multiple residents and only a few vehicles) with "contacts" (an individual-based count). This, in essence, constitutes a comparison that may result in ecological fallacy. Despite this, as noted earlier, the Iowa Colony Police Department accepted the recommendation to utilize this form of comparison (i.e., census data relevant to households with vehicles) in an attempt to demonstrate its "good will" and "transparency" before the community. Thus, the Fair Roads Standard data obtained and used in this study is specifically relevant to Houston-Baytown CSA.

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Tier 2 (2021) Motor Vehicle-Related Contact Analysis

When analyzing the enhanced and more detailed Tier 2 data collected in 2021, it was evident that most motor vehicle-related contacts were made with Blacks. This was followed by Hispanics. Of those that came in contact with the police, most tickets or citations were issued to Blacks; this was followed by Hispanics. However, in terms of written warnings, most of these were issued to Blacks; followed by Whites.

Regarding searches and arrests, the data showed that most searches took place among Blacks. When considering all searches, most were consented by Whites and Blacks. Overall, most searches did not result in contraband; of those that produced contraband, most were of Blacks; this was followed by Whites and Hispanics. Of the searches that did not produce contraband, most were of Blacks. Overall, the police department does not report any instances where force was used that resulted in bodily injury.

Comparative Analysis

The data analysis of motor vehicle contacts to the census data relevant to the number of "households" in the Houston-Baytown CSA who indicated, in the 2020 census, that they had access to vehicles, produced interesting findings. Specifically, the percentage of Asians and American Indians that came in contact with the police was the same or lower than the percentage of Asian and American Indian households the Houston-Baytown CSA that claimed, in the 2020 census, to have access to vehicles. The opposite was true of Whites, Blacks and Hispanics. That is, a higher percentage of Whites, Blacks and Hispanics that came in contact with the police than the percentage of White, Black and Hispanic households in the Houston-Baytown CSA that claimed, in the 2020 census, to have access to vehicles. It should be noted that the percentage difference among White contacts with households is of 3%; thus, deemed by some as being statistically insignificant.

The analysis of the searches resulting in contraband shows that the most significant contraband hit rate is of Whites. This was followed by Blacks. This means that among all searches performed in 2021, the most significant percentage of these that resulted in contraband was among Whites. The lowest contraband hit rate was among Hispanics.

Summary of Findings

The most recent Texas Racial Profiling Law requires that police department perform data audits in order to validate the data being reported. Consistent with this requirement, the Iowa Colony Police Department has engaged del Carmen Consulting in order to perform these audits in a manner consistent with normative statistical practices. As shown in table 6, the audit performed has shown that the data is valid and reliable. Further, as required by law, this report also includes an analysis on the searches performed. This analysis includes information on whether contraband was found as a result of the search while controlling for race/ethnicity. The search analysis demonstrates that the police department is engaging in search practices consistent with national trends in law enforcement.

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While considering the findings made in this analysis, it is recommended that the Iowa Colony Police Department should continue to collect and evaluate additional information on motor vehicle contact data (i.e., reason for probable cause searches, contraband detected) which may prove to be useful when determining the nature of the contacts police officers are making with all individuals.

As part of this effort, the Iowa Colony Police Department should continue to:

1) Perform an independent analysis on contact and search data in future years.

2) Commission data audits in 2022 in order to assess data integrity; that is, to ensure that the data collected is consistent with the data being reported.

The comprehensive analysis of the data included in this report demonstrates that the Iowa Colony Police Department has complied with the Texas Racial Profiling Law and all of its requirements. Further, the report demonstrates that the police department has incorporated a comprehensive racial profiling policy, currently offers information to the public on how to file a compliment or complaint, commissions quarterly data audits in order to ensure validity and reliability, collects and commissions the analysis of tier 2 data, and ensures that the practice of racial profiling will not be tolerated.

Checklist

The following requirements were met by the Iowa Colony Police Department in accordance with The Texas Racial Profiling Law:

- ☑ **Implement a Racial Profiling Policy citing act or actions that constitute racial profiling.**
- ☑ **Include in the racial profiling policy, a statement indicating prohibition of any peace officer employed by the Iowa Colony Police Department from engaging in racial profiling.**
- ☑ **Implement a process by which an individual may file a complaint regarding racial profiling violations.**
- ☑ **Provide public education related to the compliment and complaint process.**
- ☑ **Implement disciplinary guidelines for officers found in violation of the Texas Racial Profiling Law.**
- ☑ **Collect, report and analyze motor vehicle data (Tier 2).**
- ☑ **Commission Data Audits and a Search Analysis.**
- ☑ **Indicate total number of officers who knew and did not know, the race/ethnicity of individuals before being detained.**
- ☑ **Produce an annual report on police contacts (Tier 2) and present this to the local governing body and TCOLE by March 1, 2022.**
- ☑ **Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation.**

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Legislative & Administrative Addendum

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TCOLE GUIDELINES

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of ***what*** must be accomplished by an agency but allows wide latitude in determining ***how*** the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

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Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an " agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties."

The article further defines race or ethnicity as being of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American." The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

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Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, "the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose."

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for "tier one" data for traffic stops in which a citation results are:

1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American");
2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
3) whether there was a custody arrest.

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The minimum requirements for reporting on "tier two" reports include traffic and pedestrian stops. Tier two data include:

1) the detained person's gender and race or ethnicity;
2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
3) whether a search was conducted, and if so whether it was based on consent or probable cause;
4) facts supporting probable cause;
5) the type, if any, of contraband that was collected;
6) disposition of the stop, e.g., arrest, ticket, warning, or release;
7) location of stop; and
8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

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Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

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The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

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policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled

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during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

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(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

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SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling; and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

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SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~(7)~~] the date of conviction; and

(9) [~~(8)~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

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SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

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President of the Senate Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

_____
Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

_____
Chief Clerk of the House

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Approved:

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Date

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Governor

Modifications to the Original Law (H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

(A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);

(B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);

(C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);

(D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION ____. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle[~~traffic~~] stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, [~~or~~] Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle [~~traffic~~] stops in which a citation is issued and to _arrests made as a result of [~~resulting from~~] those [~~traffic~~] stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the individual [~~person~~] detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit [~~to the governing body of each county or~~

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~~municipality served by the agency~~] an annual report of the information collected under Subdivision (6) to:
(A) the Commission on Law Enforcement Officer Standards and Education; and
(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.
(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle [~~traffic~~] stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle [~~traffic~~] stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.
(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle [~~traffic~~] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).
(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.
SECTION ____. Article 2.133, Code of Criminal Procedure, is amended to read as follows:
Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE [~~TRAFFIC AND PEDESTRIAN~~] STOPS. (a) In this article, "race[~~:~~
[~~(1) "Race~~] or ethnicity" has the meaning assigned by Article 2.132(a).
[~~(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.~~]
(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance [~~regulating traffic or who stops a pedestrian for any suspected offense~~] shall report to the law enforcement agency that employs the officer information relating to the stop, including:
(1) a physical description of any [~~each~~] person operating the motor vehicle who is detained as a result of the stop, including:
(A) the person's gender; and
(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
(2) the initial reason for the stop [~~traffic law or ordinance alleged to have been violated or the suspected offense~~];
(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
(4) whether any contraband or other evidence was discovered in the course of the search and a description [~~the type~~] of the contraband or evidence [~~discovered~~];
(5) the reason for the search, including whether:
(A) any contraband or other evidence was in plain view;
(B) any probable cause or reasonable suspicion existed to perform the search; or

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(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle [~~existed and the facts supporting the existence of that probable cause~~];
(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
(7) the street address or approximate location of the stop; and
(8) whether the officer issued a written warning or a citation as a result of the stop[~~, including a description of the warning or a statement of the violation charged~~].
SECTION ____. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:
(a) In this article:
(1) "Motor vehicle[~~, "pedestrian~~] stop" has the meaning assigned by Article 2.132(a) [~~means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest~~].
(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).
(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each [~~local~~] law enforcement agency shall submit a report containing the incident-based data [~~information~~] compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency [~~in a manner approved by the agency~~].
(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:
(1) a comparative analysis of the information compiled under Article 2.133 to:
(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities [~~determine the prevalence of racial profiling by peace officers employed by the agency~~]; and
(B) examine the disposition of motor vehicle [~~traffic and pedestrian~~] stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from [~~the~~] stops within the applicable jurisdiction; and
(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.
(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle [~~traffic or pedestrian~~] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).
(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

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(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION ____. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle [~~traffic and pedestrian~~] stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

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(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle [~~traffic and pedestrian~~] stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle [~~traffic or pedestrian~~] stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION ____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of $1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of $1,000 for each violation.
(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.
SECTION ____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:
Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:
(1) involves the operation of a motor vehicle; and
(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.
(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.
(c) In this article, a person is considered convicted if:
(1) a sentence is imposed on the person;
(2) the person receives community supervision, including deferred adjudication; or
(3) the court defers final disposition of the person's case.
(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.
(e) The custodian of a county or municipal treasury shall:
(1) keep records of the amount of funds on deposit collected under this article; and
(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.
(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).
(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.
(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.
(i) Funds collected under this article are subject to audit by the comptroller.
SECTION ____. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:
Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:
(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $20;
(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . $40;

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(3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . $25;
(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;
(5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . $50 [~~$5~~]; [~~and~~]
(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and
(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.
(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.
SECTION ____. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:
Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $20;
(2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . $40;
(3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . $25;
(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;
(5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . $50 [~~$5~~]; [~~and~~]
(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and
(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.
(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.
SECTION ____. Section 102.101, Government Code, is amended to read as follows:
Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:
(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $3;
(2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . $3;
(3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of $3;

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(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $4;
(5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . $4;
(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5;
(7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed $30; [~~and~~]
(8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed $7; and
(9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.
SECTION ____. Section 102.121, Government Code, is amended to read as follows:
Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:
(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $3;
(2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . $3;
(3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of $3;
(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;
(5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed $4; [~~and~~]
(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and
(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.
SECTION ____. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:
Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.
SECTION ____. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:
(a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:
(1) this chapter;

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(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure; or

(3) a commission rule.

SECTION ____. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

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Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:
(3) "Race or ethnicity" means the following categories:
(A) Alaska native or American Indian;
(B) [~~of a particular descent, including Caucasian, African, Hispanic,~~] Asian or Pacific Islander;
(C) black;
(D) white; and
(E) Hispanic or Latino [~~, Native American, or Middle Eastern descent~~].

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:
(a) In this section, "race or ethnicity" means the following categories:
(1) Alaska native or American Indian;
(2) [~~of a particular descent, including Caucasian, African, Hispanic,~~] Asian or Pacific Islander;
(3) black;
(4) white; and
(5) Hispanic or Latino [~~, or Native American descent~~].
SECTION 3. This Act takes effect September 1, 2017.

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_____ _____
President of the Senate Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

_____
Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

_____
Secretary of the Senate
APPROVED: _____
Date

_____
Governor

The Sandra Bland Act (S.B. 1849)

S.B. No. 1849
An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

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Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:
(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,
Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and
(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

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(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065,
49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

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(2) establishing or expanding collaboratives thatserve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

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otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

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SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

(a) The commission shall:

(1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;

(2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;

(3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;

(4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;

(5) revise, amend, or change rules and procedures if necessary;

(6) provide to local government officials consultation on and technical assistance for county jails;

(7) review and comment on plans for the construction and major modification or renovation of county jails;

(8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;

(9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules
and procedures adopted under this chapter;

(10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;

(11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;

(12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;

(13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;

(14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;

(15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;

(16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:

(A) common issues concerning jail administration;

(B) examples of successful strategies for maintaining compliance with state law and the rules,

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standards, and procedures of the commission; and
(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:
(A) determine if a prisoner is pregnant; and
(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:
(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and
(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:
(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and
(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:
(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;
(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and
(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

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as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and

(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

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Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;

(2) an attempted suicide;

(3) a death;

(4) a serious bodily injury, as that term is defined by Section 1.07, Penal Code;

(5) an assault;

(6) an escape;

(7) a sexual assault; and

(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection (a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

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SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:
(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

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SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

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ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:
(A) the race or ethnicity of the individual detained;
(B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
(E) the location of the stop; and
(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
(A) the Texas Commission on Law Enforcement; and
(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

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(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
(A) the person's gender; and
(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)
to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

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available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

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SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed $5,000 [of $1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and (B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

_____ _____ President of the Senate Speaker of the House

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote: Yeas 31, Nays 0.

_____

Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote: Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:

_____

Date

_____

Governor

_____

Chief Clerk of the House

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IOWA COLONY
POLICE DEPARTMENT
RACIAL PROFILING POLICY

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	Iowa Colony Police Department	
	Subject: **Bias-Based Profiling and Racial Profiling**	Number: 4.00
	Category: Law Enforcement	
	Effective Date: August 07, 2019	Revision Date: 11/05/19
	Issuing Authority: Aaron I. Bell, Chief of Police	
	References:	

PURPOSE:

The purpose of this policy is to reaffirm the commitment of the Iowa Colony Police Department to unbiased policing in all encounters between a police officer and any person; to reinforce procedures that ensure public confidence and mutual trust by providing services in a fair and equitable fashion; and to protect police officers from unwarranted accusations of misconduct when they act within the dictates of this policy and the law.

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POLICY:

It is the policy of the Iowa Colony Police Department to police in a proactive manner and to investigate suspected violations of law. Within that mandate, Iowa Colony Police Offices shall actively enforce local, state, and federal laws in a responsible and professional manner, without unlawful regard to race, gender, sexual orientation, ethnicity, or national origin. Moreover, the Iowa Colony Police Department strictly prohibits its officers from engaging in bias-based profiling or racial profiling as those terms are defined in this policy.

Two of the fundamental rights guaranteed by the Unites States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. Accordingly, Iowa Colony Police Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Finally, bias-based profiling and racial profiling, in particular, are unacceptable policing tactics and are strictly prohibited.

This policy shall not preclude police officers from offering assistance, such as when they observe a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit an officer from stopping a person suspected of a crime based upon observed actions and/or information received about the person.

This policy applies to all police officers commissioned under the authority of the Iowa Colony Police Department, the Chief of Police, and to all other employees of the Iowa Colony Police Department. Moreover, this policy applies to police officers' actions with respect to all persons, whether those persons are drivers, passengers or pedestrians.

DEFINITIONS:

BIAS:

The selection of an individual based solely on a common trait of a group, including, but not limited to, race, ethnicity, gender, sexual orientation, religion, economic status, age, and/or cultural background.

BIAS-BASED PROFILING:

A law enforcement-initiated action, detention or interdiction based solely on a trait common to a group of people, rather than on the individual's behavior and/or information tending to identify the individual as having engaged in criminal activity.

LAW ENFORCEMENT AGENCY:

Means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

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MOTOR VEHICLE STOP:

Means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

POLICE OFFICER:

Any person licensed by the Texas Commission on Law Enforcement and commissioned as a peace officer under the authority of the Iowa Colony Police Department and the Chief of Police who is defined as a peace officer under Article 2.1 of the Texas Code of Criminal Procedure.

RACE OR ETHNICITY

Means of a particular descent, including Alaskan Native or American Indian, Asian or Pacific Islander, Black, Caucasian/White, or Hispanic/Latino.

RACIAL PROFILING

A law enforcement-initiated action based solely on an individual's race, ethnicity, and/or national origin, rather than on the individual's behavior and/or information tending to identify the individual as having engaged in criminal activity.

PROHIBITION:

A. The use of bias-based and/or racial profiling by police officers in any law enforcement encounters with persons viewed as suspects and/or potential suspects in criminal activities is strictly prohibited. The encounters to which this prohibition applies include, but are not limited to, motor vehicle stops, field contacts, and asset seizure and forfeiture operations.

B. The prohibition against bias-based profiling and racial profiling does not preclude the Iowa Colony Police from using race, ethnicity, or national origin as factors in a detention decision. For instance, a suspect's race, ethnicity, or national origin may be legitimate factors in deciding whether to detain the suspect when those factors are used as of a physical description of a specific suspect for whom a police officer is searching.

Detaining a person and inquiring into that person's activities solely because of that person's race, ethnicity, or national origin, or solely because of bias, is prohibited bias-based profiling or racial profiling.

Examples of racial profiling include, but are not limited to, the following:

- Citing a driver who is speeding in a stream of traffic where most other drivers are speeding, solely because of the cited driver's race, ethnicity, or national origin.
- Detaining the driver of a vehicle solely based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.
- Detaining a person solely based on the determination that a person of that race, ethnicity, or national origin does not belong in a specific geographic area or a specific place.

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TRAINING:

A police officer shall complete the Texas Commission on Law Enforcement ("TCOLE") training and education program on racial profiling not later than (1) the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or (2) the date the officer applies for an intermediate proficiency certificate, whichever is earlier.

As needed, the Iowa Colony Police Department may schedule and require police officers to attend in-service training on bias-based profiling.

COMPLAINT INVESTIGATION:

The Iowa Colony Police Department shall accept complaints from any person who believes that an Iowa Colony Police Officer has engaged in bias-based profiling or racial profiling with respect to him or her. No person shall be discouraged, intimidated, or coerced from filing a complaint, nor discriminated against because he or she files such a complaint.

In addition, any Iowa Colony Police Officer or Iowa Colony police department employee who receives an allegation of bias-based profiling or racial profiling shall record the name, address and telephone number of the person who lodges the allegation, and shall (1) forward the complaint to the Chief of Police or his/her designee, or (2) direct the person how to do so. To direct the person on the filing of such a complaint, the officer or employee shall provide the person a copy of the complaint form and describe the process for filing a complaint.

All Iowa Colony Police Officers and its employees shall report any allegations of bias-based profiling or racial profiling to their respective superiors prior to the end of their shifts.

In processing and investigating any complaint alleging that an Iowa Colony Police Officer has engaged in bias-based profiling or racial profiling, the Iowa Colony Police Department shall follow General Order #10 titled Citizen Complaints.

At the commencement of the investigation into the complaint, the Chief of Police or his/her designee shall determine whether there is a video and/or audio recording of the event upon which the complaint is based. If a recording exists, the department shall promptly provide a copy of it to the police officer who is the subject of the complaint on his or her written request.

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At the conclusion of the investigation, if not investigated by the Chief of Police, all findings and/or disciplinary action, retraining, or policy change, recommendations shall be forwarded to the Chief of Police for his/her approval.

If a bias-based profiling or racial profiling complaint is sustained against an Iowa Colony Police Officer and in violation of this policy, that officer shall be subject to corrective action, which may include reprimand; diversity, sensitivity or other appropriate training or counseling; paid or unpaid suspension; termination of employment, or other appropriate action as determined by the Chief of Police.

PUBLIC EDUCATION OF THE COMPLIMENT AND COMPLAINT PROCESS

The Iowa Colony Police Department will provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer.

The Iowa Colony complement and complaint process will be advertised by using one or more of the following venues: the news media, service or organization presentations,

the internet (to include, but not limited to, social media and city websites), and or the Police Department website whose internet link is “http://cityofiowacolony.com”.

COLLECTION, ANALYSIS, AND REPORTING OF INFORMATION

The Iowa Colony Police Department shall collect information relating to (1) motor vehicle stops in which a citation (or warning) is issued and (2) arrests made as a result of these stops. The information collected shall include:

1. The race or ethnicity of the person detained as stated by the person or as determined by the standard of any reasonable police officer to the best of his/her ability and whether the officer knew or did not know the race or ethnicity of the per detained before the detention occurred;
   a) The race or ethnicity of the individual includes:
      (1) Alaskan Native or American Indian
      (2) Asian or Pacific Islander
      (3) Black
      (4) Caucasian/White
      (5) Hispanic/Latino
2. The number of Contacts, Total Searches (combination of Consensual and Probable Cause Searches), Consensual Searches, Probable Cause Searches, Custodial Arrests, Racial Profiling Complaints received, and complaint outcomes to include sustained, Not Sustained, Unfounded, Exonerated.
3. Whether a search was conducted and whether the individual consented to the search.
4. Whether the officer made an arrest
5. Whether the officer issued a ticket, citation, or warning
6. Whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code (“means physical pain, illness, or any impairment of physical condition), during the stop;
7. The location of the stop
8. The reason for the stop

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Not later than March 1 of each year, the Chief of Police Shall submit a report of the information collected under Paragraph A to TCOLE and to the City Council of the City of Iowa Colony.

The report shall not include identifying information about the peace officer who makes a motor vehicle stop or about the person who is stopped or arrested by the peace officer. However, this does not affect the duty of an Iowa Colony Police Officer to collect the information.

USE OF VIDEO AND AUDIO EQUIPMENT

The policy of the Iowa Colony Police Department is that all police vehicles regularly used by a police officer to make motor vehicle stops shall be equipped with a video camera and transmitter-activated equipment. If possible, officers may be equipped with body worn cameras. (See General Order 49 - Body Worn Digital Recording Systems)

Each motor vehicle stop made by a police officers shall be recorded by video and audio equipment and audio equipment.

If a complaint is filed alleging that a Police Officer has engaged in bias-based profiling or racial profiling with respect to a motor vehicle stop, the video and audio shall be retained until a final disposition of the complaint has been reached.

Supervisors shall ensure that police officers record all motor vehicles stops.

The Chief of Police or his/her designee shall periodically conduct reviews of a randomly selected sampling of video/audio recordings to determine if patterns of biased based profiling exist.

If the equipment used to record motor vehicle stops is malfunctioning or otherwise not operable, the officer making the stop shall report the malfunction to his/her supervisor immediately and manually collect the data and properly record and report the information as required by this policy and Article 2.133, Texas Code of Criminal Procedure, “Reports Required for Motor Vehicles Stops”. Repairs deemed necessary should be made as soon as possible.

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Changes/Amendments since last publication:
11/05/19 Rewrite of the entire General Order to reflect requirements of The Sandra Bland Act (SB 1849, 85th Legislative Session, 2017)

TCOLE GUIDELINES

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of ***what*** must be accomplished by an agency but allows wide latitude in determining ***how*** the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

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Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an " agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties."

The article further defines race or ethnicity as being of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American." The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

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Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, "the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose."

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for "tier one" data for traffic stops in which a citation results are:

1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American");
2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
3) whether there was a custody arrest.

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The minimum requirements for reporting on "tier two" reports include traffic and pedestrian stops. Tier two data include:

1) the detained person's gender and race or ethnicity;
2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
3) whether a search was conducted, and if so whether it was based on consent or probable cause;
4) facts supporting probable cause;
5) the type, if any, of contraband that was collected;
6) disposition of the stop, e.g., arrest, ticket, warning, or release;
7) location of stop; and
8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

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Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

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The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

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policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled

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during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

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(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

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SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling; and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

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SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~(7)~~] the date of conviction; and

(9) [~~(8)~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

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SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

_____ _____

President of the Senate Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

_____
Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

_____
Chief Clerk of the House

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Approved:

_____
Date

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Governor

Modifications to the Original Law (H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

(A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);

(B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);

(C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);

(D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION ____. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle[~~traffic~~] stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, [~~or~~] Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle [~~traffic~~] stops in which a citation is issued and to _arrests made as a result of [~~resulting from~~] those [~~traffic~~] stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the individual [~~person~~] detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit [~~to the governing body of each county or~~

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~~municipality served by the agency~~] an annual report of the information collected under Subdivision (6) to:
(A) the Commission on Law Enforcement Officer Standards and Education; and
(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.
(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle [~~traffic~~] stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle [~~traffic~~] stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.
(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle [~~traffic~~] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).
(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.
SECTION ____. Article 2.133, Code of Criminal Procedure, is amended to read as follows:
Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE [~~TRAFFIC AND PEDESTRIAN~~] STOPS. (a) In this article, "race[~~:~~
[~~(1) "Race~~] or ethnicity" has the meaning assigned by Article 2.132(a).
[~~(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.~~]
(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance [~~regulating traffic or who stops a pedestrian for any suspected offense~~] shall report to the law enforcement agency that employs the officer information relating to the stop, including:
(1) a physical description of any [~~each~~] person operating the motor vehicle who is detained as a result of the stop, including:
(A) the person's gender; and
(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
(2) the initial reason for the stop [~~traffic law or ordinance alleged to have been violated or the suspected offense~~];
(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
(4) whether any contraband or other evidence was discovered in the course of the search and a description [~~the type~~] of the contraband or evidence [~~discovered~~];
(5) the reason for the search, including whether:
(A) any contraband or other evidence was in plain view;
(B) any probable cause or reasonable suspicion existed to perform the search; or

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(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle [~~existed and the facts supporting the existence of that probable cause~~];
(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
(7) the street address or approximate location of the stop; and
(8) whether the officer issued a written warning or a citation as a result of the stop[~~, including a description of the warning or a statement of the violation charged~~].
SECTION ____. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:
(a) In this article:
(1) "Motor vehicle[~~, "pedestrian~~] stop" has the meaning assigned by Article 2.132(a) [~~means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest~~].
(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).
(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each [~~local~~] law enforcement agency shall submit a report containing the incident-based data [~~information~~] compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency [~~in a manner approved by the agency~~].
(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:
(1) a comparative analysis of the information compiled under Article 2.133 to:
(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities [~~determine the prevalence of racial profiling by peace officers employed by the agency~~]; and
(B) examine the disposition of motor vehicle [~~traffic and pedestrian~~] stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from [~~the~~] stops within the applicable jurisdiction; and
(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.
(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle [~~traffic or pedestrian~~] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).
(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

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(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION ____. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle [~~traffic and pedestrian~~] stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

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(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle [~~traffic and pedestrian~~] stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle [~~traffic or pedestrian~~] stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION ____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of $1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of $1,000 for each violation.
(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.
SECTION ____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:
Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:
(1) involves the operation of a motor vehicle; and
(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.
(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.
(c) In this article, a person is considered convicted if:
(1) a sentence is imposed on the person;
(2) the person receives community supervision, including deferred adjudication; or
(3) the court defers final disposition of the person's case.
(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.
(e) The custodian of a county or municipal treasury shall:
(1) keep records of the amount of funds on deposit collected under this article; and
(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.
(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).
(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.
(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.
(i) Funds collected under this article are subject to audit by the comptroller.
SECTION ____. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:
Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:
(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $20;
(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . $40;

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(3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . $25;
(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;
(5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . $50 [~~$5~~]; [~~and~~]
(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and
(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.
(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.
SECTION ____. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:
Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $20;
(2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . $40;
(3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . $25;
(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;
(5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . $50 [~~$5~~]; [~~and~~]
(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and
(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.
(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.
SECTION ____. Section 102.101, Government Code, is amended to read as follows:
Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:
(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $3;
(2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . $3;
(3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of $3;

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(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $4;
(5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . $4;
(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5;
(7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed $30; [~~and~~]
(8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed $7; and
(9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.
SECTION ____. Section 102.121, Government Code, is amended to read as follows:
Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:
(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $3;
(2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . $3;
(3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of $3;
(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;
(5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed $4; [~~and~~]
(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and
(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.
SECTION ____. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:
Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.
SECTION ____. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:
(a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:
(1) this chapter;

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(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure; or

(3) a commission rule.

SECTION ____. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

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Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:
(3) "Race or ethnicity" means the following categories:
(A) Alaska native or American Indian;
(B) [~~of a particular descent, including Caucasian, African, Hispanic,~~] Asian or Pacific Islander;
(C) black;
(D) white; and
(E) Hispanic or Latino [~~, Native American, or Middle Eastern descent~~].

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:
(a) In this section, "race or ethnicity" means the following categories:
(1) Alaska native or American Indian;
(2) [~~of a particular descent, including Caucasian, African, Hispanic,~~] Asian or Pacific Islander;
(3) black;
(4) white; and
(5) Hispanic or Latino [~~, or Native American descent~~].
SECTION 3. This Act takes effect September 1, 2017.

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_____ _____
President of the Senate Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

_____
Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

_____
Secretary of the Senate
APPROVED: _____
Date

_____
Governor

The Sandra Bland Act (S.B. 1849)

S.B. No. 1849
An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

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Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:
(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,
Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and
(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

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(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065,
49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

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(2) establishing or expanding collaboratives thatserve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

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otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

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SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

(a) The commission shall:

(1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;

(2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;

(3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;

(4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;

(5) revise, amend, or change rules and procedures if necessary;

(6) provide to local government officials consultation on and technical assistance for county jails;

(7) review and comment on plans for the construction and major modification or renovation of county jails;

(8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;

(9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules
and procedures adopted under this chapter;

(10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;

(11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;

(12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;

(13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;

(14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;

(15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;

(16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:

(A) common issues concerning jail administration;

(B) examples of successful strategies for maintaining compliance with state law and the rules,

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standards, and procedures of the commission; and
(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:
(A) determine if a prisoner is pregnant; and
(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:
(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and
(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:
(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and
(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:
(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;
(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and
(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

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as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and

(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

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Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;

(2) an attempted suicide;

(3) a death;

(4) a serious bodily injury, as that term is defined by Section 1.07, Penal Code;

(5) an assault;

(6) an escape;

(7) a sexual assault; and

(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection (a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

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SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:
(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

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SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

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ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:
(A) the race or ethnicity of the individual detained;
(B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
(E) the location of the stop; and
(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
(A) the Texas Commission on Law Enforcement; and
(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

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(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
(A) the person's gender; and
(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)
to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

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available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

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SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed $5,000 [of $1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and (B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

_____ _____ President of the Senate Speaker of the House

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote: Yeas 31, Nays 0.

_____

Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote: Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:

_____

Date

_____

Governor

_____

Chief Clerk of the House

Copy

IOWA COLONY
POLICE DEPARTMENT
RACIAL PROFILING POLICY

Copy

	Iowa Colony Police Department	
	Subject: **Bias-Based Profiling and Racial Profiling**	Number: 4.00
	Category: Law Enforcement	
	Effective Date: August 07, 2019	Revision Date: 11/05/19
	Issuing Authority: Aaron I. Bell, Chief of Police	
	References:	

PURPOSE:

The purpose of this policy is to reaffirm the commitment of the Iowa Colony Police Department to unbiased policing in all encounters between a police officer and any person; to reinforce procedures that ensure public confidence and mutual trust by providing services in a fair and equitable fashion; and to protect police officers from unwarranted accusations of misconduct when they act within the dictates of this policy and the law.

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POLICY:

It is the policy of the Iowa Colony Police Department to police in a proactive manner and to investigate suspected violations of law. Within that mandate, Iowa Colony Police Offices shall actively enforce local, state, and federal laws in a responsible and professional manner, without unlawful regard to race, gender, sexual orientation, ethnicity, or national origin. Moreover, the Iowa Colony Police Department strictly prohibits its officers from engaging in bias-based profiling or racial profiling as those terms are defined in this policy.

Two of the fundamental rights guaranteed by the Unites States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. Accordingly, Iowa Colony Police Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Finally, bias-based profiling and racial profiling, in particular, are unacceptable policing tactics and are strictly prohibited.

This policy shall not preclude police officers from offering assistance, such as when they observe a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit an officer from stopping a person suspected of a crime based upon observed actions and/or information received about the person.

This policy applies to all police officers commissioned under the authority of the Iowa Colony Police Department, the Chief of Police, and to all other employees of the Iowa Colony Police Department. Moreover, this policy applies to police officers' actions with respect to all persons, whether those persons are drivers, passengers or pedestrians.

DEFINITIONS:

BIAS:

The selection of an individual based solely on a common trait of a group, including, but not limited to, race, ethnicity, gender, sexual orientation, religion, economic status, age, and/or cultural background.

BIAS-BASED PROFILING:

A law enforcement-initiated action, detention or interdiction based solely on a trait common to a group of people, rather than on the individual's behavior and/or information tending to identify the individual as having engaged in criminal activity.

LAW ENFORCEMENT AGENCY:

Means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

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MOTOR VEHICLE STOP:

Means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

POLICE OFFICER:

Any person licensed by the Texas Commission on Law Enforcement and commissioned as a peace officer under the authority of the Iowa Colony Police Department and the Chief of Police who is defined as a peace officer under Article 2.1 of the Texas Code of Criminal Procedure.

RACE OR ETHNICITY

Means of a particular descent, including Alaskan Native or American Indian, Asian or Pacific Islander, Black, Caucasian/White, or Hispanic/Latino.

RACIAL PROFILING

A law enforcement-initiated action based solely on an individual's race, ethnicity, and/or national origin, rather than on the individual's behavior and/or information tending to identify the individual as having engaged in criminal activity.

PROHIBITION:

A. The use of bias-based and/or racial profiling by police officers in any law enforcement encounters with persons viewed as suspects and/or potential suspects in criminal activities is strictly prohibited. The encounters to which this prohibition applies include, but are not limited to, motor vehicle stops, field contacts, and asset seizure and forfeiture operations.

B. The prohibition against bias-based profiling and racial profiling does not preclude the Iowa Colony Police from using race, ethnicity, or national origin as factors in a detention decision. For instance, a suspect's race, ethnicity, or national origin may be legitimate factors in deciding whether to detain the suspect when those factors are used as of a physical description of a specific suspect for whom a police officer is searching.

Detaining a person and inquiring into that person's activities solely because of that person's race, ethnicity, or national origin, or solely because of bias, is prohibited bias-based profiling or racial profiling.

Examples of racial profiling include, but are not limited to, the following:

- Citing a driver who is speeding in a stream of traffic where most other drivers are speeding, solely because of the cited driver's race, ethnicity, or national origin.
- Detaining the driver of a vehicle solely based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.
- Detaining a person solely based on the determination that a person of that race, ethnicity, or national origin does not belong in a specific geographic area or a specific place.

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TRAINING:

A police officer shall complete the Texas Commission on Law Enforcement ("TCOLE") training and education program on racial profiling not later than (1) the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or (2) the date the officer applies for an intermediate proficiency certificate, whichever is earlier.

As needed, the Iowa Colony Police Department may schedule and require police officers to attend in-service training on bias-based profiling.

COMPLAINT INVESTIGATION:

The Iowa Colony Police Department shall accept complaints from any person who believes that an Iowa Colony Police Officer has engaged in bias-based profiling or racial profiling with respect to him or her. No person shall be discouraged, intimidated, or coerced from filing a complaint, nor discriminated against because he or she files such a complaint.

In addition, any Iowa Colony Police Officer or Iowa Colony police department employee who receives an allegation of bias-based profiling or racial profiling shall record the name, address and telephone number of the person who lodges the allegation, and shall (1) forward the complaint to the Chief of Police or his/her designee, or (2) direct the person how to do so. To direct the person on the filing of such a complaint, the officer or employee shall provide the person a copy of the complaint form and describe the process for filing a complaint.

All Iowa Colony Police Officers and its employees shall report any allegations of bias-based profiling or racial profiling to their respective superiors prior to the end of their shifts.

In processing and investigating any complaint alleging that an Iowa Colony Police Officer has engaged in bias-based profiling or racial profiling, the Iowa Colony Police Department shall follow General Order #10 titled Citizen Complaints.

At the commencement of the investigation into the complaint, the Chief of Police or his/her designee shall determine whether there is a video and/or audio recording of the event upon which the complaint is based. If a recording exists, the department shall promptly provide a copy of it to the police officer who is the subject of the complaint on his or her written request.

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At the conclusion of the investigation, if not investigated by the Chief of Police, all findings and/or disciplinary action, retraining, or policy change, recommendations shall be forwarded to the Chief of Police for his/her approval.

If a bias-based profiling or racial profiling complaint is sustained against an Iowa Colony Police Officer and in violation of this policy, that officer shall be subject to corrective action, which may include reprimand; diversity, sensitivity or other appropriate training or counseling; paid or unpaid suspension; termination of employment, or other appropriate action as determined by the Chief of Police.

PUBLIC EDUCATION OF THE COMPLIMENT AND COMPLAINT PROCESS

The Iowa Colony Police Department will provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer.

The Iowa Colony complement and complaint process will be advertised by using one or more of the following venues: the news media, service or organization presentations,

the internet (to include, but not limited to, social media and city websites), and or the Police Department website whose internet link is “http://cityofiowacolony.com”.

COLLECTION, ANALYSIS, AND REPORTING OF INFORMATION

The Iowa Colony Police Department shall collect information relating to (1) motor vehicle stops in which a citation (or warning) is issued and (2) arrests made as a result of these stops. The information collected shall include:

1. The race or ethnicity of the person detained as stated by the person or as determined by the standard of any reasonable police officer to the best of his/her ability and whether the officer knew or did not know the race or ethnicity of the per detained before the detention occurred;
   a) The race or ethnicity of the individual includes:
      (1) Alaskan Native or American Indian
      (2) Asian or Pacific Islander
      (3) Black
      (4) Caucasian/White
      (5) Hispanic/Latino
2. The number of Contacts, Total Searches (combination of Consensual and Probable Cause Searches), Consensual Searches, Probable Cause Searches, Custodial Arrests, Racial Profiling Complaints received, and complaint outcomes to include sustained, Not Sustained, Unfounded, Exonerated.
3. Whether a search was conducted and whether the individual consented to the search.
4. Whether the officer made an arrest
5. Whether the officer issued a ticket, citation, or warning
6. Whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code (“means physical pain, illness, or any impairment of physical condition), during the stop;
7. The location of the stop
8. The reason for the stop

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Not later than March 1 of each year, the Chief of Police Shall submit a report of the information collected under Paragraph A to TCOLE and to the City Council of the City of Iowa Colony.

The report shall not include identifying information about the peace officer who makes a motor vehicle stop or about the person who is stopped or arrested by the peace officer. However, this does not affect the duty of an Iowa Colony Police Officer to collect the information.

USE OF VIDEO AND AUDIO EQUIPMENT

The policy of the Iowa Colony Police Department is that all police vehicles regularly used by a police officer to make motor vehicle stops shall be equipped with a video camera and transmitter-activated equipment. If possible, officers may be equipped with body worn cameras. (See General Order 49 - Body Worn Digital Recording Systems)

Each motor vehicle stop made by a police officers shall be recorded by video and audio equipment and audio equipment.

If a complaint is filed alleging that a Police Officer has engaged in bias-based profiling or racial profiling with respect to a motor vehicle stop, the video and audio shall be retained until a final disposition of the complaint has been reached.

Supervisors shall ensure that police officers record all motor vehicles stops.

The Chief of Police or his/her designee shall periodically conduct reviews of a randomly selected sampling of video/audio recordings to determine if patterns of biased based profiling exist.

If the equipment used to record motor vehicle stops is malfunctioning or otherwise not operable, the officer making the stop shall report the malfunction to his/her supervisor immediately and manually collect the data and properly record and report the information as required by this policy and Article 2.133, Texas Code of Criminal Procedure, “Reports Required for Motor Vehicles Stops”. Repairs deemed necessary should be made as soon as possible.

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Changes/Amendments since last publication:
11/05/19 Rewrite of the entire General Order to reflect requirements of The Sandra Bland Act (SB 1849, 85th Legislative Session, 2017)

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For additional questions regarding the information presented in this report, please contact:

Del Carmen Consulting®
817.681.7840
www.texasracialprofiling.com
www.delcarmenconsulting.com

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Racial Profiling Report | Full

Agency Name: IOWA COLONY POLICE DEPT.
Reporting Date: 01/24/2022
TCOLE Agency Number: 039219

Chief Administrator: AARON I. BELL

Agency Contact Information:
Phone: (281) 369-2471
Email: abell@cityofiowacolony.com

Mailing Address:
12003 CR 65
ROSHARON, TX 77583

This Agency filed a full report

IOWA COLONY POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

1) clearly defines acts constituting racial profiling;

2) strictly prohibits peace officers employed by the IOWA COLONY POLICE DEPT.from engaging in racial profiling;

3) implements a process by which an individual may file a complaint with the IOWA COLONY POLICE DEPT. if the individual believes that a peace officer employed by the IOWA COLONY POLICE DEPT.has engaged in racial profiling with respect to the individual;

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4) provides public education relating to the agency's complaint process;

5) requires appropriate corrective action to be taken against a peace officer employed by the IOWA COLONY POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the IOWA COLONY POLICE DEPT.policy;

6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
a. the race or ethnicity of the individual detained;
b. whether a search was conducted and, if so, whether the individual detained consented to the search;
c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
d. whether the peace officer used physical force that resulted in bodily injury during the stop;
e. the location of the stop;
f. the reason for the stop.

7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
a. the Commission on Law Enforcement; and
b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The IOWA COLONY POLICE DEPT.has satisfied the statutory data audit requirements as prescribed in Article

2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: Aaron Bell
Chief

Date: 01/24/2022

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Total stops: 3012

Street address or approximate location of the stop	
City street	1811
US highway	21
County road	1177
State highway	2
Private property or other	1
Was race or ethnicity known prior to stop?	
Yes	3011
No	1
Race / Ethnicity	
Alaska Native / American Indian	2
Asian / Pacific Islander	105
Black	1306
White	666
Hispanic / Latino	933
Gender	
Female	**1029**
Alaska Native / American Indian	1
Asian / Pacific Islander	32
Black	537
White	232
Hispanic / Latino	227
Male	**1983**
Alaska Native / American Indian	1
Asian / Pacific Islander	73
Black	769
White	434
Hispanic / Latino	706
Reason for stop?	
Violation of law	**15**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	4

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Hispanic / Latino	8
Preexisting knowledge	**10**
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	6
White	2
Hispanic / Latino	1
Moving traffic violation	**2505**
Alaska Native / American Indian	2
Asian / Pacific Islander	97
Black	1078
White	515
Hispanic / Latino	753
Vehicle traffic violation	**482**
Alaska Native / American Indian	0
Asian / Pacific Islander	7
Black	219
White	85
Hispanic / Latino	171

Was a search conducted?

Yes	**23**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	13
White	2
Hispanic / Latino	8
No	**2989**
Alaska Native / American Indian	2
Asian / Pacific Islander	105
Black	1293
White	664
Hispanic / Latino	925

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Reason for Search?

Consent	**2**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	1

Hispanic / Latino	0
Contraband	**3**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	3
Probable	**16**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	11
White	1
Hispanic / Latino	4
Inventory	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Incident to arrest	**2**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	0
Hispanic / Latino	1

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Was Contraband discovered?

		Did the finding result in arrest? (total should equal previous column)			
Yes	**6**				
Alaska Native / American Indian	0	Yes	0	No	0
Asian / Pacific Islander	0	Yes	0	No	0
Black	4	Yes	0	No	4
White	1	Yes	0	No	1
Hispanic / Latino	1	Yes	0	No	1
No	**17**				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	9				
White	1				
Hispanic / Latino	7				

Description of contraband	
Drugs	**4**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	1
Hispanic / Latino	0
Weapons	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Currency	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	**1**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
Stolen property	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Other	**1**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	0
Hispanic / Latino	0

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Result of the stop	
Verbal warning	**41**

Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	18
White	13
Hispanic / Latino	9
Written warning	**919**
Alaska Native / American Indian	0
Asian / Pacific Islander	39
Black	427
White	231
Hispanic / Latino	222
Citation	**2052**
Alaska Native / American Indian	2
Asian / Pacific Islander	65
Black	861
White	422
Hispanic / Latino	702
Written warning and arrest	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Citation and arrest	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Arrest	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0

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Arrest based on	
Violation of Penal Code	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	0
White	0
Hispanic / Latino	0
Violation of Traffic Law	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Violation of City Ordinance	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Outstanding Warrant	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0

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Was physical force resulting in bodily injury used during stop?

Yes	**0**
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Resulting in Bodily Injury To:	
Suspect	0
Officer	0
Both	0
No	**3012**
Alaska Native / American Indian	2
Asian / Pacific Islander	105
Black	1306
White	666
Hispanic / Latino	933

Number of complaints of racial profiling

Total	1
Resulted in disciplinary action	0
Did not result in disciplinary action	1

Comparative Analysis

Use TCOLE's auto generated analysis ☐

Use Department's submitted analysis ☒

Optional Narrative

N/A

Submitted electronically to the

The Texas Commission on Law Enforcement

Copy

Aaron I. Bell

From: noreply@tcole.texas.gov
Sent: Monday, January 24, 2022 3:45 PM
To: abell@cityofiowacolony.com
Subject: Racial Profiling Report

You have successfully filed your racial profiling report with TCOLE.

To view or print your submission:

Return to your TCLEDDS account
Click on Racial Profiling in the left menu Hover over the year you wish to view or print Select the appropriate option from the hover menu

Edits to your submission may be made through March 1st.

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CITY OF IOWA COLONY

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Iowa Colony Tx. 77583
Phone: 281-369-2471
Fax: 281-369-0005
www.iowacolonytx.gov

MONTHLY REPORT- January 2022

February 25, 2022

Mayor and Council,

See January 2022 monthly report for both the Building Department and Fire Marshal's Office below.

Building Department

Inspections Conducted by BBG-

Building Inspections-	365
Plumbing Inspections -	382
Mechanical Inspections-	158
Electrical Inspections-	315
Total-	**1220**

Inspections Conducted by City Inspector

Building-	92
City Ordinance Violations-	37
Animal Control Violations-	10
Total-	**138**

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Fees paid for Inspection services to the Independent Contract Inspectors for November & December 2020

January 2021 Paid out to Contract Inspectors

$58,843.97

Fees paid for Inspection services to BBG Consulting, Inc.

January 2022, Total Inspections **1220**

$27,450.00

Building Department: I completed **55** Plan reviews for construction.

Fire Marshals Report:
Conducted several final inspections at the new high school. No other calls to report.

Side Note: In the month of February at total of **146** plans have been submitted for review with **124** completed. This is a mixture of residential and commercial. The City did outsource the plan review to BBG Inspection service in assistance to expedite the plan review for the customer at their expense to be able to start on time, due to they submitted late in the process.

Thanks,

Albert Cantu, Fire Marshal/Building Official

IOWA COLONY
POLICE DEPARTMENT

12003 Iowa Colony Blvd.
Iowa Colony, Texas 77583

Aaron I. Bell
Chief of Police

Phone: (281) 369-3444
Fax: (281) 406-3722

Monthly Report
January 2022

Offense	December 2021	January 2022
Burglary	3	2
Theft	3	5
Robbery	0	0
Total Index Crimes Reported	6	7
Reports Taken		
Misdemeanor	8	13
Felony	10	10
Charges Filed/Arrests		
Misdemeanor	3	4
Felony	0	2
Outside Agency Warrant Arrest	0	0
Traffic Enforcement		
Citations	170	212
Warnings	52	24
Crash Investigations		
Minor Crashes	5	10
Major Crashes	3	3
Fatality Crashes	0	0
Calls for Service		
Alarms	41	34
Assist Other Agency	32	35
Disturbance	15	8
Fire	0	0
Other	134	94
Security Checks	158	245
Suspicious Activity/Persons	30	21

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Significant Events

- January 3 – Officer was dispatched to the 3500 block of Meridiana Pkwy in reference to stolen construction equipment. A report was generated assigned to investigations.
- January 6 – Officer was dispatched to the 3700 block of Davenport Pkwy in reference to stolen construction equipment. A report was generated and assigned to investigations.
- January 17 – Officer was dispatched to the 9400 block of Gold Mountain Drive in reference to a stolen vehicle. A report was generated and assigned to investigations.

IOWA COLONY
POLICE DEPARTMENT

12003 Iowa Colony Blvd.
Iowa Colony, Texas 77583

Aaron I. Bell
Chief of Police

Phone: (281) 369-3444
Fax: (281) 406-3722

- January 19 – Officer was dispatched to the 9700 block of CR 524C in reference to criminal mischief to city-owned property. A report was generated and assigned to investigations.
- January 21 – Officer was dispatched to the 10100 block of Napier Drive in reference to stolen construction materials. A report was generated and assigned to investigations.
- January 22 – Officer was dispatched to the 2600 block of Howlite Lane in reference to a stolen vehicle. A report was generated. Charges were later filed and an arrest was made.
- January 22 – Officer was dispatched to SH 288/Meridiana Pkwy in reference to a reckless driver. The vehicle was located and a traffic stop was made. An arrest was made for Driving While Intoxicated.
- January 22 – Officer was dispatched to the 3500 block of Meridiana Pkwy in reference to stolen construction equipment. A report was generated and assigned to investigations.
- January 26 – Officers were dispatched to the 9800 block of Garnet Grove Drive in reference to an ongoing disturbance. During the investigation, a suspect was identified and warrants were obtained. The suspect was later arrested for Criminal Trespass, Terroristic Threat, Aggravated Assault, Assault, and Evading Arrest.
- January 29 – Officers observed a vehicle driving the wrong way on SH 288. A traffic stop was made and an arrest was made for Driving While Intoxicated.

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CITY OF
IOWA
COLONY

NOTICE OF DRAWING FOR PLACE ON BALLOT

Notice is hereby given of a drawing to determine the order in which the names of candidates are to be printed on the ballot for the election to be held on May 7, 2022 in Iowa Colony, Texas. The drawing will be held at 9:00 a.m. on February 28, 2022 at Iowa Colony City Hall, 12003 Iowa Colony Boulevard, Iowa Colony, Texas.

Kayleen Rosser
Officer Conducting Drawing

AVISO DEL SORTEO PARA UN LUGAR EN LA BOLETA

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Por lo presente se da aviso que habrá un sorteo para determinar la orden en que aparecerán los nombres de los candidatos en la boleta para la elección que se celebrara el 7 de mayo, 2022 en Iowa Colony, Texas. El sorteo tendrá lugar a las 9:00 a.m. el 28 de febrero, 2022 a Iowa Colony City Hall, 12003 Iowa Colony Boulevard, Iowa Colony, Texas.

Kayleen Rosser
Oficial Manejando el Sorteo

Certification

I, Kayleen Rosser, City Secretary for the City of Iowa Colony, do hereby certify that the foregoing notice of drawing for place on the ballot was posted in a place convenient to the general public at Iowa Colony City Hall, and said notice was posted on Thursday, February 24, 2022 and remained posted continuously for at least 72 hours preceding the scheduled time of the drawing.

CITY OF IOWA COLONY

Kayleen Rosser
Kayleen Rosser, City Secretary
City of Iowa Colony

City of Iowa Colony
Balance Sheet
As of January 31, 2022

2/23/2022 12:21 PM

Account Type	Account Number	Description	Balance	Total
10 - General Fund				
Assets				
	10-1000	Cash / Due From Consolidated Cash	10,317,965.63	
	10-1002	Retainer Account	0.00	
	10-1003	First State Bank - Manvel	154,458.93	
	10-1004	Petty Cash	300.00	
	10-1005	Texas Advantage - CD	6,269.33	
	10-1006	TexStar CD	108,306.32	
	10-1007	Veritex - CD 5471	99,787.18	
	10-1100	Accounts Receivable	10,277.00	
	10-1110	Due from IRS	0.00	
	10-1111	Sales Tax Receivable	57,743.00	
	10-1112	Allowance for Fines Receivable	(241,997.04)	
	10-1113	Fines Receivable	254,734.00	
	10-1114	Property Taxes Receivable	20,966.00	
	10-1115	Property Tax Receivable - P & I	9,453.00	
	10-1302	Due from Retainer Fund	0.00	
	Total Assets		10,798,263.35	
				10,798,263.35

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
10 - General Fund				
Liabilities				
	10-2000	Due To Consolidated Cash / Accounts Payable	190,989.50	
	10-2001	Accounts Payble at Year End	(246,580.03)	
	10-2200	Wages Payable	0.00	
	10-2201	Employee Dental Insurance	234.18	
	10-2202	Employee Vision Insurance	0.00	
	10-2203	Federal Tax Payable	(45.83)	
	10-2204	Social Security/Medicare Payable	(34.28)	
	10-2205	TMRS Payable	4,179.32	
	10-2206	Texas Workforce Commission Payable	(2,618.09)	
	10-2207	Health & Life Insurance Payable	4,314.96	
	10-2208	Child Support Payable	(1,256.04)	
	10-2209	457(b) Payable	0.00	
	10-2300	State Fees	21,153.95	
	10-2301	Collections	75.00	
	10-2302	Bond Liability Account	0.00	
	10-2303	Refunds Payable	0.00	
	10-2304	Credit Card Fee	4,043.21	
	10-2305	Deferred Revenues - Fines	12,737.00	
	10-2400	Road Damage Deposit	0.00	
	10-2405	Deferred Inflows-Prop taxes	40,696.00	
	10-2410	Bond 1 - Series 2020	1,186,220.00	
	10-2500	American Rescue Plan Fund	0.00	
	10-2501	Baseball Field Reserve	1,772.50	
	10-2502	Baymark Pipeline LLC	0.00	
	10-2503	Baymark Pipeline LLC: Baymark P - Engr/Inspctn/Legal	0.00	
	10-2504	Cherry Crushed Concrete	0.00	
	10-2505	DR Horton/MUD 87	0.00	
	10-2506	Early Plat - Sierra V W Sec 5	111,728.79	
	10-2507	Early Plat SVW Crystal V Dr-Ph3	0.00	
	10-2508	Early Plat SVW Sub Sec 4	0.00	
	10-2509	Formosa/Lav Pipeline-TRC	0.00	
	10-2510	M2E3/Enterprise Pipeline	0.00	
	10-2511	Meridiana Escrow	4,345.00	
	10-2512	Old Airline Market-Axis Dev	207.50	
	10-2513	Sierra Vista - Land Tejas	0.00	

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
10 - General Fund				
Liabilities				
	10-2514	Sierra Vista West - Land Tejas	0.00	
	10-2515	South Texas NGL Pipeline, LLC	0.00	
	10-2516	South Texas NGL Pipeline, LLC: South TX NGL-Engr/Inspct/Legal	0.00	
	10-2517	Sterling Lakes - Land Tejas	0.00	
	10-2518	Capital Contribution - CR 64	1,731,000.00	
	10-2519	Earlt Platting Escrow Sec 12	0.00	
	10-2520	Early Plat Escrow - SVW Sec 6	0.00	
	10-2522	Property Delq Tax - TIF 100%	(0.30)	
	10-2523	Property Tax TIF - 100%	10,148.27	
	10-2524	Meritage Homes of Texas, LLC	12,500.00	
	10-2525	Corona Virus Relief Fund	122,595.00	
	10-2526	Public Safety Building Reserve	500,000.00	
	10-2527	Public Park Reserves	35,000.00	
	10-2528	Early Plat - Sierra VW Sec 7	893,961.46	
	10-2602	Due to Retainer Fund	(12,500.00)	
	Total Liabilities		4,624,867.07	
Fund Balance				
	10-3000	Fund Balance	50,287.12	
	Total Fund Balance		50,287.12	
		Total Revenue	4,302,806.95	
		Total Expenses	1,214,555.11	
		Current Year Increase (Decrease)	6,123,109.16	
		Fund Balance Total	50,287.12	
		Current Year Increase (Decrease)	6,123,109.16	
		Total Fund Balance/Equity	6,173,396.28	
	Total Liabilities & Fund Balance			10,798,263.35

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
11 - Retainer Fund				
Assets				
	11-1000	Cash / Due From Consolidated Cash	0.00	
	11-1002	Retainer Account	1,087,623.11	
	11-1301	Due from General Fund	(12,500.00)	
	Total Assets		1,075,123.11	
				1,075,123.11

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
11 - Retainer Fund				
Liabilities				
	11-2000	Due To Consolidated Cash / Accounts Payable	0.00	
	11-2010	Accounts Payable	3,656.91	
	11-2200	Wages Payable	0.00	
	11-2400	Road Damage Deposit	475,000.00	
	11-2502	Baymark Pipeline LLC	182,437.50	
	11-2503	Baymark Pipeline LLC: Baymark P - Engr/Inspctn/Legal	20,540.04	
	11-2504	Cherry Crushed Concrete	23,200.00	
	11-2505	DR Horton/MUD 87	10,638.87	
	11-2509	Formosa/Lav Pipeline-TRC	10,826.04	
	11-2510	M2E3/Enterprise Pipeline	(24,728.24)	
	11-2513	Sierra Vista - Land Tejas	5,295.60	
	11-2514	Sierra Vista West - Land Tejas	36,424.15	
	11-2515	South Texas NGL Pipeline, LLC	183,022.50	
	11-2516	South Texas NGL Pipeline, LLC: South TX NGL-Engr/Inspct/Legal	21,027.56	
	11-2517	Sterling Lakes - Land Tejas	10,556.59	
	11-2521	Meritage/Rise- BCMUD 57	742.60	
	11-2529	Meridiana PUD Amendment	0.00	
	11-2601	Due to General Fund	0.00	
	Total Liabilities		958,640.12	
Fund Balance				
	11-3000	Fund Balance	0.00	
	Total Fund Balance		0.00	

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
11 - Retainer Fund				
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	116,482.99	
		Fund Balance Total	0.00	
		Current Year Increase (Decrease)	116,482.99	
		Total Fund Balance/Equity	116,482.99	
Total Liabilities & Fund Balance				1,075,123.11

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
20 - Crime Control and Prevention District Fund				
Assets				
	20-1000	Cash / Due From Consolidated Cash	61,255.99	
	Total Assets		61,255.99	
				61,255.99

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
20 - Crime Control and Prevention District Fund				
Liabilities				
	20-2000	Due To Consolidated Cash / Accounts Payable	0.00	
	Total Liabilities		0.00	
Fund Balance				
	20-3000	Fund Balance	233,635.88	
	Total Fund Balance		233,635.88	
		Total Revenue	86,131.91	
		Total Expenses	1,525.36	
		Current Year Increase (Decrease)	(172,379.89)	
		Fund Balance Total	233,635.88	
		Current Year Increase (Decrease)	(172,379.89)	
		Total Fund Balance/Equity	61,255.99	
	Total Liabilities & Fund Balance			61,255.99

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
30 - Capital Improvements Plan Fund (Debt Service)				
Assets				
	30-1000	Cash / Due From Consolidated Cash	0.00	
	Total Assets		0.00	
				0.00

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
30 - Capital Improvements Plan Fund (Debt Service)				
Liabilities				
	30-2000	Due To Consolidated Cash / Accounts Payable	0.00	
	Total Liabilities		0.00	
Fund Balance				
	30-3000	Fund Balance	0.00	
	Total Fund Balance		0.00	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	0.00	
		Fund Balance Total	0.00	
		Current Year Increase (Decrease)	0.00	
		Total Fund Balance/Equity	0.00	
	Total Liabilities & Fund Balance			0.00

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
35 - Capital Improvements Plan Fund (Local)				
Assets				
	35-1000	Cash / Due From Consolidated Cash	0.00	
	Total Assets		0.00	
				0.00

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
35 - Capital Improvements Plan Fund (Local)				
Liabilities				
	35-2000	Due To Consolidated Cash / Accounts Payable	0.00	
	35-2526	Public Safety Building Reserve	0.00	
	Total Liabilities		0.00	
Fund Balance				
	35-3000	Fund Balance	0.00	
	Total Fund Balance		0.00	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	0.00	
		Fund Balance Total	0.00	
		Current Year Increase (Decrease)	0.00	
		Total Fund Balance/Equity	0.00	
	Total Liabilities & Fund Balance			0.00

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
40 - Court Technology Fund				
Assets				
	40-1000	Cash / Due From Consolidated Cash	2,580.92	
	Total Assets		2,580.92	
				2,580.92

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
40 - Court Technology Fund				
Liabilities				
	40-2000	Due To Consolidated Cash / Accounts Payable	0.00	
	Total Liabilities		0.00	
Fund Balance				
	40-3000	Fund Balance	22,258.51	
	Total Fund Balance		22,258.51	
		Total Revenue	2,623.94	
		Total Expenses	119.98	
		Current Year Increase (Decrease)	(19,677.59)	
		Fund Balance Total	22,258.51	
		Current Year Increase (Decrease)	(19,677.59)	
		Total Fund Balance/Equity	2,580.92	
	Total Liabilities & Fund Balance			2,580.92

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
41 - Court Security Fund				
Assets				
	41-1000	Cash / Due From Consolidated Cash	3,277.54	
	Total Assets		3,277.54	
				3,277.54

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
41 - Court Security Fund				
Liabilities				
	41-2000	Due To Consolidated Cash / Accounts Payable	0.00	
	Total Liabilities		0.00	
Fund Balance				
	41-3000	Fund Balance	22,844.91	
	Total Fund Balance		22,844.91	
		Total Revenue	3,183.27	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	(19,567.37)	
		Fund Balance Total	22,844.91	
		Current Year Increase (Decrease)	(19,567.37)	
		Total Fund Balance/Equity	3,277.54	
	Total Liabilities & Fund Balance			3,277.54

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
45 - American Rescue Plan Act (ARPA) Fund				
Assets				
	45-1000	Cash / Due From Consolidated Cash	0.00	
	Total Assets		0.00	
				0.00

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
45 - American Rescue Plan Act (ARPA) Fund				
Liabilities				
	45-2000	Due To Consolidated Cash / Accounts Payable	0.00	
	45-2200	Wages Payable	0.00	
	Total Liabilities		0.00	
Fund Balance				
	45-3000	Fund Balance	400,545.99	
	Total Fund Balance		400,545.99	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	(400,545.99)	
		Fund Balance Total	400,545.99	
		Current Year Increase (Decrease)	(400,545.99)	
		Total Fund Balance/Equity	0.00	
	Total Liabilities & Fund Balance			0.00

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
50 - Vehicle Replacement Fund				
Assets				
	50-1000	Cash / Due From Consolidated Cash	0.00	
	Total Assets		0.00	
				0.00

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
50 - Vehicle Replacement Fund				
Liabilities				
	50-2000	Due To Consolidated Cash / Accounts Payable	0.00	
	Total Liabilities		0.00	
Fund Balance				
	50-3000	Fund Balance	180,000.00	
	Total Fund Balance		180,000.00	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	(180,000.00)	
		Fund Balance Total	180,000.00	
		Current Year Increase (Decrease)	(180,000.00)	
		Total Fund Balance/Equity	0.00	
	Total Liabilities & Fund Balance			0.00

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
70 - ICDA General Operating Fund				
Assets				
	70-1001	ICDA Cash / Due From Consolidated	427,742.27	
	70-1120	ICDA Revenue Fund	200.10	
	70-1400	Due From City Prop Tax TIF	10,148.00	
	Total Assets		438,090.37	
				438,090.37

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
70 - ICDA General Operating Fund				
Liabilities				
	70-2002	ICDA Due To Consolidated Cash / Accounts Payable	1,575.47	
	70-2200	Wages Payable	0.00	
	70-2750	Due To Bond Account	(32,502.09)	
	Total Liabilities		(30,926.62)	
Fund Balance				
	70-3010	ICDA Fund Balance	440,966.29	
	Total Fund Balance		440,966.29	
		Total Revenue	10,148.13	
		Total Expenses	(17,902.57)	
		Current Year Increase (Decrease)	28,050.70	
		Fund Balance Total	440,966.29	
		Current Year Increase (Decrease)	28,050.70	
		Total Fund Balance/Equity	469,016.99	
	Total Liabilities & Fund Balance			438,090.37

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
71 - ICDA Capital Projects Fund				
Assets				
	71-1001	ICDA Cash / Due From Consolidated	0.00	
	71-1121	Time Deposits	447.76	
	Total Assets		447.76	
				447.76

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
71 - ICDA Capital Projects Fund				
Liabilities				
	71-2002	ICDA Due To Consolidated Cash / Accounts Payable	0.00	
	71-2200	Wages Payable	0.00	
	Total Liabilities		0.00	
Fund Balance				
	71-3010	ICDA Fund Balance	447.76	
	Total Fund Balance		447.76	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	0.00	
		Fund Balance Total	447.76	
		Current Year Increase (Decrease)	0.00	
		Total Fund Balance/Equity	447.76	
	Total Liabilities & Fund Balance			447.76

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
72 - ICDA Debt Service Fund				
Assets				
	72-1001	ICDA Cash / Due From Consolidated	0.00	
	72-1121	Time Deposits	1,639,132.47	
	72-1122	Time Deposits - Pledged Revenue	50,982.09	
	Total Assets		1,690,114.56	
				1,690,114.56

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
72 - ICDA Debt Service Fund				
Liabilities				
	72-2002	ICDA Due To Consolidated Cash / Accounts Payable	0.00	
	72-2200	Wages Payable	0.00	
	Total Liabilities		0.00	
Fund Balance				
	72-3010	ICDA Fund Balance	1,971,849.99	
	Total Fund Balance		1,971,849.99	
		Total Revenue	32,502.09	
		Total Expenses	314,237.52	
		Current Year Increase (Decrease)	(281,735.43)	
		Fund Balance Total	1,971,849.99	
		Current Year Increase (Decrease)	(281,735.43)	
		Total Fund Balance/Equity	1,690,114.56	
	Total Liabilities & Fund Balance			1,690,114.56

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

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Account Type	Account Number	Description	Balance	Total
98 - ICDA Consolidated Cash				
Assets				
	98-1001	ICDA Consolidated Cash	0.00	
	98-1270	Due From ICDA General Operating Fund	(11,785.66)	
	98-1271	Due From ICDA Capital Projects Fund	0.00	
	98-1272	Due From ICDA Debt Service Fund	0.00	
	Total Assets		(11,785.66)	
				(11,785.66)

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
98 - ICDA Consolidated Cash				
Liabilities				
	98-2002	ICDA Accounts Payable	(11,785.66)	
	98-2170	Due To ICDA General Operating Fund	0.00	
	98-2171	Due To ICDA Capital Projects Fund	0.00	
	98-2172	Due To ICDA Debt Service Fund	0.00	
	98-2200	Wages Payable	0.00	
	98-2998	ICDA Due To Other Funds	0.00	
	Total Liabilities		(11,785.66)	
Fund Balance				
	98-3010	ICDA Fund Balance	0.00	
	Total Fund Balance		0.00	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	0.00	
		Fund Balance Total	0.00	
		Current Year Increase (Decrease)	0.00	
		Total Fund Balance/Equity	0.00	
	Total Liabilities & Fund Balance			(11,785.66)

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
99 - Consolidated Cash				
Assets				
	99-1000	Cash	3,518,965.36	
	99-1210	Due From General Fund	190,989.50	
	99-1220	Due From Crime Prevention District Fund	0.00	
	99-1230	Due From Debt Service Fund	0.00	
	99-1235	Due From Capital Improvement Projects Fund	0.00	
	99-1240	Due From Court Technology fund	0.00	
	99-1241	Due From Court Security Fund	0.00	
	99-1245	Due From American Rescue Plan Act (ARPA) Fund	0.00	
	99-1250	Due From Vehicle Replacement Fund	0.00	
	Total Assets		3,709,954.86	
				3,709,954.86

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City of Iowa Colony
Balance Sheet
As of January 31, 2022

Account Type	Account Number	Description	Balance	Total
99 - Consolidated Cash				
Liabilities				
	99-2000	Accounts Payable	190,989.50	
	99-2110	Due To General Fund	0.00	
	99-2120	Due To Crime Prevention District Fund	0.00	
	99-2130	Due To Debt Service Fund	0.00	
	99-2135	Due To Capital Improvement Projects Fund	0.00	
	99-2140	Due To Court Technology fund	0.00	
	99-2141	Due To Court Security Fund	0.00	
	99-2145	Due To American Rescue Plan Act (ARPA) Fund	0.00	
	99-2150	Due To Vehicle Replacement Fund	0.00	
	99-2200	Wages Payable	0.00	
	99-2999	Due To Other Funds	3,518,965.36	
	Total Liabilities		3,709,954.86	
		Total Revenue	0.00	
		Total Expenses	0.00	
		Current Year Increase (Decrease)	0.00	
		Fund Balance Total	0.00	
		Current Year Increase (Decrease)	0.00	
		Total Fund Balance/Equity	0.00	
	Total Liabilities & Fund Balance			3,709,954.86

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City of Iowa Colony
Financial Statement
As of January 31, 2022

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10 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Sales Tax	43,684.62	30,083.33	13,601.29	196,822.27	361,000.00	54.52%	164,177.73
Property Tax	666,259.36	310,916.67	355,342.69	3,297,096.72	3,731,000.00	88.37%	433,903.28
Miscellaneous	1,270.00	44,854.16	(43,584.16)	3,226.82	538,250.00	0.60%	535,023.18
Fines & Forfeitures	19,319.93	25,000.00	(5,680.07)	84,107.48	300,000.00	28.04%	215,892.52
License & Permits	235,241.87	167,333.33	67,908.54	715,931.51	2,008,000.00	35.65%	1,292,068.49
Business & Franchise	0.00	11,666.67	(11,666.67)	5,622.15	140,000.00	4.02%	134,377.85
Grant Income	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	965,775.78	589,854.16	375,921.62	4,302,806.95	7,078,250.00	60.79%	2,775,443.05
Expense Summary							
Personnel Services	152,231.86	160,794.39	(8,562.53)	543,370.94	1,929,532.73	28.16%	1,386,161.79
Professional/Contract Services	172,583.44	134,183.33	38,400.11	483,995.70	1,610,200.00	30.06%	1,126,204.30
Materials & Supplies	33,834.97	33,250.05	584.92	151,983.98	399,000.00	38.09%	247,016.02
Services	9,862.41	205,999.97	(196,137.56)	22,504.49	2,472,000.00	0.91%	2,449,495.51
Capital Outlay	0.00	31,666.67	(31,666.67)	12,700.00	380,000.00	3.34%	367,300.00
Expense Totals	368,512.68	565,894.41	(197,381.73)	1,214,555.11	6,790,732.73	17.89%	5,576,177.62

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City of Iowa Colony
Financial Statement
As of January 31, 2022

10 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Sales Tax							
10-4109 Mixed Beverage Tax	81.22	83.33	(2.11)	313.14	1,000.00	31.31%	686.86
10-4110 City Sales Tax	43,603.40	30,000.00	13,603.40	196,509.13	360,000.00	54.59%	163,490.87
Sales Tax Totals	43,684.62	30,083.33	13,601.29	196,822.27	361,000.00	54.52%	164,177.73
Property Tax							
10-4120 Property Tax	665,918.74	113,333.33	552,585.41	3,292,269.37	1,360,000.00	242.08%	(1,932,269.37)
10-4121 Delinquent Property Tax	340.62	2,916.67	(2,576.05)	5,730.81	35,000.00	16.37%	29,269.19
10-4130 Property Tax - TIF - 70%	0.00	89,250.00	(89,250.00)	0.00	1,071,000.00	0.00%	1,071,000.00
10-4131 Delinquent Tax - TIF - 70%	0.00	0.00	0.00	(632.42)	0.00	0.00%	632.42
10-4132 City Property Tax TIF 30%	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-4133 City Property Delinquent TIF 30%	0.00	0.00	0.00	(271.04)	0.00	0.00%	271.04
10-4135 Property Tax MUD 31 - 70%	0.00	105,416.67	(105,416.67)	0.00	1,265,000.00	0.00%	1,265,000.00
10-4136 Delinquent Tax MUD 31 - 70%	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-4137 Property Tax MUD 31 - 30%	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-4138 Delinquent Tax MUD 31 - 30%	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Property Tax Totals	666,259.36	310,916.67	355,342.69	3,297,096.72	3,731,000.00	88.37%	433,903.28
Miscellaneous							
10-4124 Accident Reports	20.00	0.00	20.00	90.00	0.00	0.00%	(90.00)
10-4126 MUD 31 Pub Safety Contr	0.00	20,833.33	(20,833.33)	0.00	250,000.00	0.00%	250,000.00
10-4127 MUD 32 Pub Saf	0.00	20,833.33	(20,833.33)	0.00	250,000.00	0.00%	250,000.00
10-4134 Intermodel Ship Container	0.00	250.00	(250.00)	0.00	3,000.00	0.00%	3,000.00
10-4805 Park Reserves	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00
10-4910 Interest Income	0.00	20.83	(20.83)	1.83	250.00	0.73%	248.17
10-4911 Other Revenue	1,250.00	0.00	1,250.00	3,134.99	0.00	0.00%	(3,134.99)

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10 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Miscellaneous							
Miscellaneous Totals	1,270.00	44,854.16	(43,584.16)	3,226.82	538,250.00	0.60%	535,023.18
Fines & Forfeitures							
10-4125 Arrest Fee	722.04	0.00	722.04	3,286.55	0.00	0.00%	(3,286.55)
10-4701 Citations/Warrants	17,566.38	25,000.00	(7,433.62)	76,352.12	300,000.00	25.45%	223,647.88
10-4702 Delinquent Court Collection	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-4703 Municipal Jury Funds	14.65	0.00	14.65	63.98	0.00	0.00%	(63.98)
10-4704 Local Truancy Prevention	731.86	0.00	731.86	2,807.99	0.00	0.00%	(2,807.99)
10-4705 Time Payment Reimbursement	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-4706 Omnibase Reimbursement	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-4709 Court Costs	285.00	0.00	285.00	1,596.84	0.00	0.00%	(1,596.84)
Fines & Forfeitures Totals	19,319.93	25,000.00	(5,680.07)	84,107.48	300,000.00	28.04%	215,892.52
License & Permits							
10-4201 Building Construction Permits	94,340.88	114,583.33	(20,242.45)	390,792.71	1,375,000.00	28.42%	984,207.29
10-4202 Trade Fees	18,621.39	4,166.67	14,454.72	42,025.79	50,000.00	84.05%	7,974.21
10-4203 Reinspection Fees	0.00	2,500.00	(2,500.00)	16,400.00	30,000.00	54.67%	13,600.00
10-4204 Signs	450.00	83.33	366.67	450.00	1,000.00	45.00%	550.00
10-4205 PIP - Prop Improv Permit	765.00	166.67	598.33	3,148.94	2,000.00	157.45%	(1,148.94)
10-4206 Dirt Work Permits	0.00	41.67	(41.67)	1,000.00	500.00	200.00%	(500.00)
10-4207 Driveway Permits	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
10-4210 Culvert Permit	150.00	41.67	108.33	450.00	500.00	90.00%	50.00
10-4211 Commercial Vehicle Permit	500.00	83.33	416.67	1,000.00	1,000.00	100.00%	0.00
10-4212 Park Use Permit	470.00	83.33	386.67	520.00	1,000.00	52.00%	480.00
10-4213 Mobile Food Unit Permit	300.00	83.33	216.67	600.00	1,000.00	60.00%	400.00
10-4301 Preliminary Plat Fees	3,210.00	6,250.00	(3,040.00)	11,840.00	75,000.00	15.79%	63,160.00

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10 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
License & Permits							
10-4302 Final Plat Fees	2,400.00	2,916.67	(516.67)	11,350.00	35,000.00	32.43%	23,650.00
10-4303 Abbreviated Plat Fees	0.00	583.33	(583.33)	1,580.00	7,000.00	22.57%	5,420.00
10-4305 Admin Fee - Early Plat Recording	36,027.65	12,500.00	23,527.65	39,508.62	150,000.00	26.34%	110,491.38
10-4401 Infrastructure Plan Review Fee	7,215.74	6,250.00	965.74	54,258.86	75,000.00	72.35%	20,741.14
10-4403 Civil Site Plan Review Fee	70,791.21	16,666.67	54,124.54	141,006.59	200,000.00	70.50%	58,993.41
10-4501 Rezoning Fees	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
10-4503 Specific Use Permit	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
License & Permits Totals	235,241.87	167,333.33	67,908.54	715,931.51	2,008,000.00	35.65%	1,292,068.49
Business & Franchise							
10-4601 Franchise Tax - Electric	0.00	9,166.67	(9,166.67)	0.00	110,000.00	0.00%	110,000.00
10-4602 Franchise Tax - Gas	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-4603 Telecommunication Fee - Sales	0.00	2,500.00	(2,500.00)	5,622.15	30,000.00	18.74%	24,377.85
Business & Franchise Totals	0.00	11,666.67	(11,666.67)	5,622.15	140,000.00	4.02%	134,377.85
Grant Income							
10-4803 State & Federal Grants	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Grant Income Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	965,775.78	589,854.16	375,921.62	4,302,806.95	7,078,250.00	60.79%	2,775,443.05

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10 - General Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Materials & Supplies	5,908.31	5,208.35	699.96	21,725.23	62,500.00	34.76%	40,774.77
Personnel Services	40,493.03	27,212.31	13,280.72	125,768.09	326,547.96	38.51%	200,779.87
Professional/Contract Services	30,753.94	19,116.67	11,637.27	111,770.07	229,400.00	48.72%	117,629.93
Services	3,341.68	3,499.99	(158.31)	10,315.53	42,000.00	24.56%	31,684.47
Administration Totals	80,496.96	55,037.32	25,459.64	269,578.92	660,447.96	40.82%	390,869.04

10 - General Fund Finance	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	1,259.99	1,766.67	(506.68)	30,639.34	21,200.00	144.53%	(9,439.34)
Personnel Services	7,651.39	8,730.33	(1,078.94)	30,639.40	104,763.81	29.25%	74,124.41
Professional/Contract Services	0.00	208.34	(208.34)	0.00	2,500.00	0.00%	2,500.00
Finance Totals	8,911.38	10,705.34	(1,793.96)	61,278.74	128,463.81	47.70%	67,185.07

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10 - General Fund Police	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	16,176.43	6,841.67	9,334.76	33,004.63	82,100.00	40.20%	49,095.37
Personnel Services	64,057.62	86,929.88	(22,872.26)	246,611.74	1,043,158.60	23.64%	796,546.86
Professional/Contract Services	10,215.00	1,833.33	8,381.67	13,097.08	22,000.00	59.53%	8,902.92
Services	5,485.23	5,833.33	(348.10)	10,813.96	70,000.00	15.45%	59,186.04
Police Totals	95,934.28	101,438.21	(5,503.93)	303,527.41	1,217,258.60	24.94%	913,731.19

10 - General Fund Animal Control	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining

Materials & Supplies	209.91	266.67	(56.76)	754.66	3,200.00	23.58%	2,445.34
Personnel Services	6,012.85	5,197.00	815.85	19,799.99	62,364.06	31.75%	42,564.07
Professional/Contract Services	170.00	358.33	(188.33)	1,229.84	4,300.00	28.60%	3,070.16
Services	169.75	666.66	(496.91)	339.50	8,000.00	4.24%	7,660.50
Animal Control Totals	6,562.51	6,488.66	73.85	22,123.99	77,864.06	28.41%	55,740.07

10 - General Fund Emergency Management	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	0.00	250.00	(250.00)	0.00	3,000.00	0.00%	3,000.00
Professional/Contract Services	0.00	666.67	(666.67)	0.00	8,000.00	0.00%	8,000.00
Emergency Management Totals	0.00	916.67	(916.67)	0.00	11,000.00	0.00%	11,000.00

10 - General Fund Municipal Court	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	379.65	1,025.01	(645.36)	3,207.67	12,300.00	26.08%	9,092.33
Personnel Services	9,555.27	10,941.64	(1,386.37)	37,862.26	131,299.58	28.84%	93,437.32
Professional/Contract Services	1,951.78	6,041.67	(4,089.89)	15,462.78	72,500.00	21.33%	57,037.22
Municipal Court Totals	11,886.70	18,008.32	(6,121.62)	56,532.71	216,099.58	26.16%	159,566.87

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10 - General Fund Public Works	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	3,823.71	6,583.34	(2,759.63)	21,098.77	79,000.00	26.71%	57,901.23
Personnel Services	8,844.26	7,081.23	1,763.03	28,299.66	84,974.90	33.30%	56,675.24
Professional/Contract Services	10,600.00	32,500.00	(21,900.00)	22,879.86	390,000.00	5.87%	367,120.14
Services	169.75	666.66	(496.91)	339.50	8,000.00	4.24%	7,660.50
Public Works Totals	23,437.72	46,831.23	(23,393.51)	72,617.79	561,974.90	12.92%	489,357.11

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10 - General Fund Parks & Recreation	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	5,043.98	9,083.33	(4,039.35)	14,178.93	109,000.00	13.01%	94,821.07
Professional/Contract Services	0.00	2,750.00	(2,750.00)	21,400.00	33,000.00	64.85%	11,600.00
Parks & Recreation Totals	5,043.98	11,833.33	(6,789.35)	35,578.93	142,000.00	25.06%	106,421.07

10 - General Fund Community Development	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	64.20	1,291.67	(1,227.47)	25,190.45	15,500.00	162.52%	(9,690.45)
Personnel Services	4,480.39	5,145.28	(664.89)	17,802.53	61,743.21	28.83%	43,940.68
Professional/Contract Services	70,211.69	45,041.66	25,170.03	181,004.76	540,500.00	33.49%	359,495.24
Services	0.00	194,666.67	(194,666.67)	0.00	2,336,000.00	0.00%	2,336,000.00
Community Development Totals	74,756.28	246,145.28	(171,389.00)	223,997.74	2,953,743.21	7.58%	2,729,745.47

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10 - General Fund Fire Marshal/Building Official	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	968.79	933.34	35.45	2,184.30	11,200.00	19.50%	9,015.70
Personnel Services	11,137.05	9,556.72	1,580.33	36,587.27	114,680.61	31.90%	78,093.34
Professional/Contract Services	48,681.03	25,666.66	23,014.37	117,151.31	308,000.00	38.04%	190,848.69
Services	696.00	666.66	29.34	696.00	8,000.00	8.70%	7,304.00
Fire Marshal/Building Official Totals	61,482.87	36,823.38	24,659.49	156,618.88	441,880.61	35.44%	285,261.73

10 - General Fund Capital and Planning Projects	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	0.00	31,666.67	(31,666.67)	12,700.00	380,000.00	3.34%	367,300.00

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Capital and Planning Projects Totals	0.00	31,666.67	(31,666.67)	12,700.00	380,000.00	3.34%	367,300.00
Expense Total	368,512.68	565,894.41	(197,381.73)	1,214,555.11	6,790,732.73	17.89%	5,576,177.62

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10 - General Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-10-5101 Salaries - Full Time	16,130.48	17,824.16	(1,693.68)	64,521.86	213,889.92	30.17%	149,368.06
10-10-5102 Salaries - Part Time	0.00	2,083.33	(2,083.33)	0.00	25,000.00	0.00%	25,000.00
10-10-5103 Salaries - Temp	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
10-10-5104 Salaries - Overtime	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-10-5106 Social Security/Medicare	1,264.62	1,363.55	(98.93)	5,046.21	16,362.58	30.84%	11,316.37
10-10-5107 TMRS	1,573.58	1,604.17	(30.59)	8,027.30	19,250.09	41.70%	11,222.79
10-10-5108 Health & Life Insurance	19,800.01	1,233.33	18,566.68	33,046.36	14,800.00	223.29%	(18,246.36)
10-10-5109 Worker's Comp	370.50	633.11	(262.61)	9,871.00	7,597.37	129.93%	(2,273.63)
10-10-5110 Texas Workforce Commission	0.00	42.00	(42.00)	0.00	504.00	0.00%	504.00
10-10-5111 Vehicle Allowance	553.84	600.00	(46.16)	2,215.36	7,200.00	30.77%	4,984.64
10-10-5112 457(b) Reimbursement	800.00	875.00	(75.00)	2,800.00	10,500.00	26.67%	7,700.00
10-10-5114 Benefits Admin Fees	0.00	12.00	(12.00)	0.00	144.00	0.00%	144.00
10-10-5115 Longevity Pay	0.00	25.00	(25.00)	240.00	300.00	80.00%	60.00
10-10-5117 Certificate Pay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-10-5121 Payroll Expense/Direct	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
10-10-5201 Legal Services	8,415.00	7,916.67	498.33	43,123.41	95,000.00	45.39%	51,876.59
10-10-5202 Audit Services	4,250.00	2,500.00	1,750.00	17,750.00	30,000.00	59.17%	12,250.00
10-10-5203 Attorney/Prosecutor Fees	6,425.00	0.00	6,425.00	10,325.00	0.00	0.00%	(10,325.00)
10-10-5206 Professional Services	5,550.00	2,166.67	3,383.33	8,849.90	26,000.00	34.04%	17,150.10
10-10-5207 Building Inspector	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-10-5208 Engineering Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-10-5210 Election Expenses	1,500.00	666.67	833.33	1,500.00	8,000.00	18.75%	6,500.00
10-10-5211 Bank Fees	0.00	8.33	(8.33)	100.10	100.00	100.10%	(0.10)
10-10-5212 Credit Card Processing Fees	0.00	208.33	(208.33)	7,901.31	2,500.00	316.05%	(5,401.31)
10-10-5213 Legal Notices Expense	1,737.18	583.33	1,153.85	3,822.70	7,000.00	54.61%	3,177.30
10-10-5214 Advertising/Printing Expense	0.00	0.00	0.00	195.60	0.00	0.00%	(195.60)

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10 - General Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-10-5215 BCAD Fee	1,345.60	1,791.67	(446.07)	7,298.60	21,500.00	33.95%	14,201.40
10-10-5216 Pest Control Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-10-5217 Professional Cleaning Services	715.00	1,416.67	(701.67)	3,930.00	17,000.00	23.12%	13,070.00
10-10-5218 Lawn Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-10-5221 Website Adminstration	0.00	458.33	(458.33)	3,792.99	5,500.00	68.96%	1,707.01
10-10-5223 Training & Travel	490.00	750.00	(260.00)	2,219.30	9,000.00	24.66%	6,780.70
10-10-5224 Dues & Subscriptions	326.16	225.00	101.16	861.16	2,700.00	31.89%	1,838.84
10-10-5225 Seminars/BCCA	0.00	250.00	(250.00)	100.00	3,000.00	3.33%	2,900.00
10-10-5227 Legislative Affairs	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
10-10-5228 Tax Appraisal & Collection	0.00	8.33	(8.33)	0.00	100.00	0.00%	100.00
10-10-5301 Office Supplies	511.70	1,166.67	(654.97)	1,667.40	14,000.00	11.91%	12,332.60
10-10-5302 Janitorial Supplies	71.98	0.00	71.98	303.98	0.00	0.00%	(303.98)
10-10-5303 Public Education & Training	0.00	0.00	0.00	129.00	0.00	0.00%	(129.00)
10-10-5309 Uniforms	0.00	166.67	(166.67)	781.88	2,000.00	39.09%	1,218.12
10-10-5310 Postage	676.11	41.67	634.44	976.10	500.00	195.22%	(476.10)
10-10-5311 Building Repairs &	2,557.91	1,000.00	1,557.91	10,728.23	12,000.00	89.40%	1,271.77
10-10-5312 Staff Recognition	0.00	166.67	(166.67)	(190.35)	2,000.00	(9.52%)	2,190.35
10-10-5314 Computer & Technology	0.00	1,250.00	(1,250.00)	0.00	15,000.00	0.00%	15,000.00
10-10-5315 Computer Software/License	1,380.29	666.67	713.62	5,448.29	8,000.00	68.10%	2,551.71
10-10-5317 Equipment & Other Rentals	278.01	541.67	(263.66)	1,125.28	6,500.00	17.31%	5,374.72
10-10-5329 Mayor's Special Expense	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
10-10-5330 Miscellaneous	432.31	83.33	348.98	755.42	1,000.00	75.54%	244.58
10-10-5331 Signs & Postings	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-10-5401 Utilities - Electricity	759.32	583.33	175.99	2,383.27	7,000.00	34.05%	4,616.73
10-10-5402 Utilities - Traffic Signals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-10-5403 Utilities - Telephone	1,059.07	1,333.33	(274.26)	4,748.89	16,000.00	29.68%	11,251.11

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10 - General Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-10-5404 Mobile Technology Expense	285.12	0.00	285.12	459.70	0.00	0.00%	(459.70)
10-10-5405 Insurance - Liability & Prop	1,238.17	666.67	571.50	2,723.67	8,000.00	34.05%	5,276.33
10-10-5406 Insurance - Windstorm	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
10-10-5407 Insurance - Vehicles	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
10-10-5630 Furniture & Equipment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administration Totals	80,496.96	55,037.32	25,459.64	269,578.92	660,447.96	40.82%	390,869.04

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10 - General Fund **Finance**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-15-5101 Salaries - Full Time	6,080.00	6,718.40	(638.40)	24,320.00	80,620.80	30.17%	56,300.80
10-15-5106 Social Security/Medicare	460.62	513.96	(53.34)	1,847.07	6,167.49	29.95%	4,320.42
10-15-5107 TMRS	547.20	604.66	(57.46)	2,721.62	7,255.87	37.51%	4,534.25
10-15-5108 Health & Life Insurance	563.57	616.67	(53.10)	1,690.71	7,400.00	22.85%	5,709.29
10-15-5109 Worker's Comp	0.00	238.64	(238.64)	0.00	2,863.65	0.00%	2,863.65
10-15-5110 Texas Workforce Commission	0.00	21.00	(21.00)	0.00	252.00	0.00%	252.00
10-15-5114 Benefits Admin Fees	0.00	12.00	(12.00)	0.00	144.00	0.00%	144.00
10-15-5115 Longevity Pay	0.00	5.00	(5.00)	60.00	60.00	100.00%	0.00
10-15-5223 Training & Travel	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
10-15-5224 Dues & Subscriptions	0.00	41.67	(41.67)	0.00	500.00	0.00%	500.00
10-15-5301 Office Supplies	9.99	83.33	(73.34)	348.97	1,000.00	34.90%	651.03
10-15-5310 Postage	0.00	16.67	(16.67)	290.37	200.00	145.19%	(90.37)
10-15-5314 Computer & Technology	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-15-5315 Computer Software/License	1,250.00	1,666.67	(416.67)	30,000.00	20,000.00	150.00%	(10,000.00)
Finance Totals	8,911.38	10,705.34	(1,793.96)	61,278.74	128,463.81	47.70%	67,185.07

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10 - General Fund **Police**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-20-5101 Salaries - Full Time	42,419.94	62,577.08	(20,157.14)	170,111.38	750,925.02	22.65%	580,813.64
10-20-5102 Salaries - Part Time	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-20-5104 Salaries - Overtime	4,781.07	1,041.67	3,739.40	11,539.92	12,500.00	92.32%	960.08
10-20-5106 Social Security/Medicare	3,665.88	4,787.15	(1,121.27)	13,990.31	57,445.76	24.35%	43,455.45
10-20-5107 TMRS	4,397.62	5,631.94	(1,234.32)	20,677.89	67,583.25	30.60%	46,905.36
10-20-5108 Health & Life Insurance	4,685.57	8,325.00	(3,639.43)	15,641.16	99,900.00	15.66%	84,258.84
10-20-5109 Worker's Comp	2,446.00	2,778.42	(332.42)	8,079.00	33,341.07	24.23%	25,262.07
10-20-5110 Texas Workforce Commission	0.00	294.00	(294.00)	348.23	3,528.00	9.87%	3,179.77
10-20-5114 Benefits Admin Fees	0.00	84.00	(84.00)	0.00	1,008.00	0.00%	1,008.00
10-20-5115 Longevity Pay	0.00	70.00	(70.00)	720.00	840.00	85.71%	120.00
10-20-5117 Certificate Pay	1,661.54	1,340.62	320.92	5,503.85	16,087.50	34.21%	10,583.65
10-20-5206 Professional Services	5,525.00	583.33	4,941.67	6,101.00	7,000.00	87.16%	899.00
10-20-5222 Investigations	100.00	250.00	(150.00)	407.00	3,000.00	13.57%	2,593.00
10-20-5223 Training & Travel	250.00	416.67	(166.67)	901.64	5,000.00	18.03%	4,098.36
10-20-5224 Dues & Subscriptions	0.00	125.00	(125.00)	65.00	1,500.00	4.33%	1,435.00
10-20-5230 Radio Service	4,200.00	333.33	3,866.67	5,147.44	4,000.00	128.69%	(1,147.44)
10-20-5231 Recruiting & Hiring Expense	140.00	125.00	15.00	475.00	1,500.00	31.67%	1,025.00
10-20-5301 Office Supplies	3,259.03	250.00	3,009.03	3,430.43	3,000.00	114.35%	(430.43)
10-20-5303 Public Education & Training	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-20-5307 Investigation Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-20-5309 Uniforms	455.91	666.67	(210.76)	1,790.12	8,000.00	22.38%	6,209.88
10-20-5310 Postage	0.00	8.33	(8.33)	0.00	100.00	0.00%	100.00
10-20-5311 Building Repairs &	0.00	166.67	(166.67)	25.00	2,000.00	1.25%	1,975.00
10-20-5313 Fuel Expense	2,351.46	2,500.00	(148.54)	11,064.58	30,000.00	36.88%	18,935.42
10-20-5314 Computer & Technology	1,679.29	1,666.67	12.62	6,013.73	20,000.00	30.07%	13,986.27
10-20-5315 Computer Software/License	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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10 - General Fund **Police**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-20-5318 Vehicle Equipment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-20-5319 Vehicle Repairs & Maintenance	8,409.76	833.33	7,576.43	8,822.70	10,000.00	88.23%	1,177.30
10-20-5320 Traffic Equipment & Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-20-5325 Lab Equipment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-20-5326 Radio Repair & Maintenance	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-20-5328 Small Tools & Minor	20.98	583.33	(562.35)	1,409.06	7,000.00	20.13%	5,590.94
10-20-5330 Miscellaneous	0.00	166.67	(166.67)	449.01	2,000.00	22.45%	1,550.99
10-20-5404 Mobile Technology Expense	675.48	500.00	175.48	2,321.46	6,000.00	38.69%	3,678.54
10-20-5405 Insurance - Liability & Prop	1,928.25	666.67	1,261.58	3,856.50	8,000.00	48.21%	4,143.50
10-20-5407 Insurance - Vehicles	2,881.50	583.33	2,298.17	4,636.00	7,000.00	66.23%	2,364.00
10-20-5410 Vehicle Replacement Fund	0.00	4,083.33	(4,083.33)	0.00	49,000.00	0.00%	49,000.00
Police Totals	95,934.28	101,438.21	(5,503.93)	303,527.41	1,217,258.60	24.94%	913,731.19

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10 - General Fund **Animal Control**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-21-5101 Salaries - Full Time	3,361.60	3,714.58	(352.98)	13,446.40	44,575.02	30.17%	31,128.62
10-21-5104 Salaries - Overtime	0.00	83.33	(83.33)	441.28	1,000.00	44.13%	558.72
10-21-5106 Social Security/Medicare	250.16	284.17	(34.01)	1,038.97	3,409.99	30.47%	2,371.02
10-21-5107 TMRS	302.54	334.31	(31.77)	1,565.69	4,011.75	39.03%	2,446.06
10-21-5108 Health & Life Insurance	574.55	616.67	(42.12)	1,723.65	7,400.00	23.29%	5,676.35
10-21-5109 Worker's Comp	1,524.00	131.94	1,392.06	1,524.00	1,583.30	96.25%	59.30
10-21-5110 Texas Workforce Commission	0.00	21.00	(21.00)	0.00	252.00	0.00%	252.00
10-21-5114 Benefits Admin Fees	0.00	6.00	(6.00)	0.00	72.00	0.00%	72.00
10-21-5115 Longevity Pay	0.00	5.00	(5.00)	60.00	60.00	100.00%	0.00
10-21-5117 Certificate Pay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-21-5223 Training & Travel	75.00	125.00	(50.00)	882.89	1,500.00	58.86%	617.11
10-21-5224 Dues & Subscriptions	60.00	25.00	35.00	91.95	300.00	30.65%	208.05
10-21-5229 Contractual Services	35.00	208.33	(173.33)	255.00	2,500.00	10.20%	2,245.00
10-21-5301 Office Supplies	0.00	16.67	(16.67)	0.00	200.00	0.00%	200.00
10-21-5309 Uniforms	41.97	41.67	0.30	282.86	500.00	56.57%	217.14
10-21-5310 Postage	0.00	16.67	(16.67)	0.00	200.00	0.00%	200.00
10-21-5311 Building Repairs &	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-21-5313 Fuel Expense	136.47	83.33	53.14	404.25	1,000.00	40.43%	595.75
10-21-5318 Vehicle Equipment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-21-5319 Vehicle Repairs & Maintenance	0.00	83.33	(83.33)	36.08	1,000.00	3.61%	963.92
10-21-5328 Small Tools & Minor	31.47	25.00	6.47	31.47	300.00	10.49%	268.53
10-21-5407 Insurance - Vehicles	169.75	83.33	86.42	339.50	1,000.00	33.95%	660.50
10-21-5410 Vehicle Replacement Fund	0.00	583.33	(583.33)	0.00	7,000.00	0.00%	7,000.00
Animal Control Totals	6,562.51	6,488.66	73.85	22,123.99	77,864.06	28.41%	55,740.07

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10 - General Fund **Emergency Management**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-22-5206 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-22-5214 Advertising/Printing Expense	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
10-22-5223 Training & Travel	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
10-22-5229 Contractual Services	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
10-22-5301 Office Supplies	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
10-22-5315 Computer Software/License	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
Emergency Management Totals	0.00	916.67	(916.67)	0.00	11,000.00	0.00%	11,000.00

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10 - General Fund **Municipal Court**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-25-5101 Salaries - Full Time	7,129.60	7,805.72	(676.12)	28,358.54	93,668.64	30.28%	65,310.10
10-25-5104 Salaries - Overtime	0.00	166.67	(166.67)	233.01	2,000.00	11.65%	1,766.99
10-25-5106 Social Security/Medicare	539.68	597.14	(57.46)	2,168.90	7,165.65	30.27%	4,996.75
10-25-5107 TMRS	649.96	702.52	(52.56)	3,241.42	8,430.18	38.45%	5,188.76
10-25-5108 Health & Life Insurance	1,143.73	1,233.33	(89.60)	3,431.19	14,800.00	23.18%	11,368.81
10-25-5109 Worker's Comp	0.00	277.26	(277.26)	0.00	3,327.11	0.00%	3,327.11
10-25-5110 Texas Workforce Commission	0.00	42.00	(42.00)	0.00	504.00	0.00%	504.00
10-25-5114 Benefits Admin Fees	0.00	12.00	(12.00)	0.00	144.00	0.00%	144.00
10-25-5115 Longevity Pay	0.00	5.00	(5.00)	60.00	60.00	100.00%	0.00
10-25-5117 Certificate Pay	92.30	100.00	(7.70)	369.20	1,200.00	30.77%	830.80
10-25-5203 Attorney/Prosecutor Fees	0.00	4,166.67	(4,166.67)	8,925.00	50,000.00	17.85%	41,075.00
10-25-5206 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-25-5209 Judge Fees	1,925.00	1,666.67	258.33	6,037.50	20,000.00	30.19%	13,962.50
10-25-5220 Interpreter Services	26.78	125.00	(98.22)	195.28	1,500.00	13.02%	1,304.72
10-25-5223 Training & Travel	0.00	83.33	(83.33)	305.00	1,000.00	30.50%	695.00
10-25-5301 Office Supplies	144.65	250.00	(105.35)	431.67	3,000.00	14.39%	2,568.33
10-25-5308 Jury Trial Expense	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
10-25-5309 Uniforms	0.00	41.67	(41.67)	32.00	500.00	6.40%	468.00
10-25-5310 Postage	0.00	41.67	(41.67)	0.00	500.00	0.00%	500.00
10-25-5314 Computer & Technology	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-25-5315 Computer Software/License	235.00	566.67	(331.67)	2,744.00	6,800.00	40.35%	4,056.00
Municipal Court Totals	11,886.70	18,008.32	(6,121.62)	56,532.71	216,099.58	26.16%	159,566.87

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10 - General Fund **Public Works**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-30-5101 Salaries - Full Time	4,649.40	5,074.16	(424.76)	18,425.40	60,889.92	30.26%	42,464.52
10-30-5104 Salaries - Overtime	129.15	333.33	(204.18)	1,635.91	4,000.00	40.90%	2,364.09
10-30-5106 Social Security/Medicare	361.07	388.17	(27.10)	1,521.28	4,658.08	32.66%	3,136.80
10-30-5107 TMRS	430.07	456.67	(26.60)	2,255.36	5,480.09	41.16%	3,224.73
10-30-5108 Health & Life Insurance	563.57	616.67	(53.10)	1,690.71	7,400.00	22.85%	5,709.29
10-30-5109 Worker's Comp	2,711.00	180.23	2,530.77	2,711.00	2,162.81	125.35%	(548.19)
10-30-5110 Texas Workforce Commission	0.00	21.00	(21.00)	0.00	252.00	0.00%	252.00
10-30-5114 Benefits Admin Fees	0.00	6.00	(6.00)	0.00	72.00	0.00%	72.00
10-30-5115 Longevity Pay	0.00	5.00	(5.00)	60.00	60.00	100.00%	0.00
10-30-5219 Roads, Bridges & Drainage	0.00	27,083.33	(27,083.33)	0.00	325,000.00	0.00%	325,000.00
10-30-5229 Contractual Services	10,600.00	5,416.67	5,183.33	22,879.86	65,000.00	35.20%	42,120.14
10-30-5301 Office Supplies	(20.44)	416.67	(437.11)	924.21	5,000.00	18.48%	4,075.79
10-30-5306 Building Materials & Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-30-5309 Uniforms	0.00	83.33	(83.33)	393.26	1,000.00	39.33%	606.74
10-30-5313 Fuel Expense	307.05	333.33	(26.28)	1,334.78	4,000.00	33.37%	2,665.22
10-30-5316 Equipment Repair/Parts	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-30-5317 Equipment & Other Rentals	0.00	1,250.00	(1,250.00)	0.00	15,000.00	0.00%	15,000.00
10-30-5318 Vehicle Equipment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-30-5319 Vehicle Repairs & Maintenance	17.00	250.00	(233.00)	109.27	3,000.00	3.64%	2,890.73
10-30-5320 Traffic Equipment & Supplies	420.93	0.00	420.93	420.93	0.00	0.00%	(420.93)
10-30-5321 Public Works Maintenance	2,725.00	1,666.67	1,058.33	7,625.00	20,000.00	38.13%	12,375.00
10-30-5322 Special Road Work	0.00	1,250.00	(1,250.00)	9,305.50	15,000.00	62.04%	5,694.50
10-30-5328 Small Tools & Minor	0.00	666.67	(666.67)	0.00	8,000.00	0.00%	8,000.00
10-30-5331 Signs & Postings	374.17	666.67	(292.50)	985.82	8,000.00	12.32%	7,014.18
10-30-5407 Insurance - Vehicles	169.75	83.33	86.42	339.50	1,000.00	33.95%	660.50
10-30-5410 Vehicle Replacement Fund	0.00	583.33	(583.33)	0.00	7,000.00	0.00%	7,000.00

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10 - General Fund **Public Works**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Public Works Totals	23,437.72	46,831.23	(23,393.51)	72,617.79	561,974.90	12.92%	489,357.11

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10 - General Fund **Parks & Recreation**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-32-5206 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-32-5229 Contractual Services	0.00	2,750.00	(2,750.00)	21,400.00	33,000.00	64.85%	11,600.00
10-32-5301 Office Supplies	0.00	208.33	(208.33)	0.00	2,500.00	0.00%	2,500.00
10-32-5309 Uniforms	0.00	83.33	(83.33)	148.00	1,000.00	14.80%	852.00
10-32-5323 Park Improvements	0.00	2,916.67	(2,916.67)	1,799.00	35,000.00	5.14%	33,201.00
10-32-5324 Park Maintenance	5,043.98	5,833.33	(789.35)	12,231.93	70,000.00	17.47%	57,768.07
10-32-5330 Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-32-5331 Signs & Postings	0.00	41.67	(41.67)	0.00	500.00	0.00%	500.00
Parks & Recreation Totals	5,043.98	11,833.33	(6,789.35)	35,578.93	142,000.00	25.06%	106,421.07

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10 - General Fund **Community Development**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-35-5101 Salaries - Full Time	3,361.60	3,624.40	(262.80)	13,201.60	43,492.80	30.35%	30,291.20
10-35-5104 Salaries - Overtime	0.00	125.00	(125.00)	195.27	1,500.00	13.02%	1,304.73
10-35-5106 Social Security/Medicare	252.68	277.27	(24.59)	1,020.66	3,327.20	30.68%	2,306.54
10-35-5107 TMRS	302.54	326.20	(23.66)	1,514.29	3,914.35	38.69%	2,400.06
10-35-5108 Health & Life Insurance	563.57	616.67	(53.10)	1,690.71	7,400.00	22.85%	5,709.29
10-35-5109 Worker's Comp	0.00	128.74	(128.74)	0.00	1,544.86	0.00%	1,544.86
10-35-5110 Texas Workforce Commission	0.00	21.00	(21.00)	0.00	252.00	0.00%	252.00
10-35-5114 Benefits Admin Fees	0.00	6.00	(6.00)	0.00	72.00	0.00%	72.00
10-35-5115 Longevity Pay	0.00	20.00	(20.00)	180.00	240.00	75.00%	60.00
10-35-5206 Professional Services	0.00	4,208.33	(4,208.33)	0.00	50,500.00	0.00%	50,500.00
10-35-5208 Engineering Services	70,211.69	40,833.33	29,378.36	181,004.76	490,000.00	36.94%	308,995.24
10-35-5301 Office Supplies	64.20	83.33	(19.13)	150.45	1,000.00	15.05%	849.55
10-35-5309 Uniforms	0.00	41.67	(41.67)	0.00	500.00	0.00%	500.00
10-35-5314 Computer & Technology	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-35-5315 Computer Software/License	0.00	1,166.67	(1,166.67)	25,040.00	14,000.00	178.86%	(11,040.00)
10-35-5411 TIF Fund/MUD 31 Payable	0.00	194,666.67	(194,666.67)	0.00	2,336,000.00	0.00%	2,336,000.00
Community Development Totals	74,756.28	246,145.28	(171,389.00)	223,997.74	2,953,743.21	7.58%	2,729,745.47

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10 - General Fund **Fire Marshal/Building Official**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-36-5101 Salaries - Full Time	6,710.48	7,415.06	(704.58)	26,841.86	88,980.72	30.17%	62,138.86
10-36-5104 Salaries - Overtime	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-36-5106 Social Security/Medicare	471.44	567.25	(95.81)	1,918.00	6,807.03	28.18%	4,889.03
10-36-5107 TMRS	603.94	667.36	(63.42)	3,003.18	8,008.26	37.50%	5,005.08
10-36-5108 Health & Life Insurance	746.19	616.67	129.52	2,159.23	7,400.00	29.18%	5,240.77
10-36-5109 Worker's Comp	2,605.00	263.38	2,341.62	2,605.00	3,160.60	82.42%	555.60
10-36-5110 Texas Workforce Commission	0.00	21.00	(21.00)	0.00	252.00	0.00%	252.00
10-36-5114 Benefits Admin Fees	0.00	6.00	(6.00)	0.00	72.00	0.00%	72.00
10-36-5115 Longevity Pay	0.00	0.00	0.00	60.00	0.00	0.00%	(60.00)
10-36-5207 Building Inspector	48,667.50	25,000.00	23,667.50	115,930.00	300,000.00	38.64%	184,070.00
10-36-5223 Training & Travel	13.53	333.33	(319.80)	845.99	4,000.00	21.15%	3,154.01
10-36-5224 Dues & Subscriptions	0.00	333.33	(333.33)	375.32	4,000.00	9.38%	3,624.68
10-36-5301 Office Supplies	722.88	41.67	681.21	889.05	500.00	177.81%	(389.05)
10-36-5303 Public Education & Training	0.00	250.00	(250.00)	0.00	3,000.00	0.00%	3,000.00
10-36-5307 Investigation Supplies	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
10-36-5309 Uniforms	0.00	83.33	(83.33)	75.00	1,000.00	7.50%	925.00
10-36-5310 Postage	0.00	16.67	(16.67)	0.00	200.00	0.00%	200.00
10-36-5313 Fuel Expense	116.48	166.67	(50.19)	866.36	2,000.00	43.32%	1,133.64
10-36-5319 Vehicle Repairs & Maintenance	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
10-36-5328 Small Tools & Minor	129.43	166.67	(37.24)	353.89	2,000.00	17.69%	1,646.11
10-36-5407 Insurance - Vehicles	696.00	83.33	612.67	696.00	1,000.00	69.60%	304.00
10-36-5410 Vehicle Replacement Fund	0.00	583.33	(583.33)	0.00	7,000.00	0.00%	7,000.00
Fire Marshal/Building Official Totals	61,482.87	36,823.38	24,659.49	156,618.88	441,880.61	35.44%	285,261.73

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10 - General Fund **Capital and Planning Projects**	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
10-90-5610 Land Purchase and	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-90-5620 Building Purchase,	0.00	31,666.67	(31,666.67)	12,700.00	380,000.00	3.34%	367,300.00
10-90-5630 Furniture & Equipment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-90-5640 Capital Assets	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
10-90-5650 Vehicles & Machinery	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Capital and Planning Projects Totals	0.00	31,666.67	(31,666.67)	12,700.00	380,000.00	3.34%	367,300.00
Expense Totals	368,512.68	565,894.41	(197,381.73)	1,214,555.11	6,790,732.73	17.89%	5,576,177.62

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20 - Crime Control and Prevention District Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Sales Tax	18,493.94	0.00	18,493.94	86,131.91	0.00	0.00%	(86,131.91)
Revenue Totals	18,493.94	0.00	18,493.94	86,131.91	0.00	0.00%	(86,131.91)
Expense Summary							
Personnel Services	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Professional/Contract Services	0.00	1,250.00	(1,250.00)	0.00	15,000.00	0.00%	15,000.00
Materials & Supplies	0.00	1,666.67	(1,666.67)	1,525.36	20,000.00	7.63%	18,474.64
Capital Outlay	0.00	11,666.67	(11,666.67)	0.00	140,000.00	0.00%	140,000.00
Expense Totals	0.00	15,000.01	(15,000.01)	1,525.36	180,000.00	0.85%	178,474.64

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20 - Crime Control and Prevention District Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Sales Tax							
20-4112 CCPD - Sales Tax	18,493.94	0.00	18,493.94	86,131.91	0.00	0.00%	(86,131.91)
Sales Tax Totals	18,493.94	0.00	18,493.94	86,131.91	0.00	0.00%	(86,131.91)
Revenue Totals	18,493.94	0.00	18,493.94	86,131.91	0.00	0.00%	(86,131.91)

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20 - Crime Control and Prevention Dist Police	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	0.00	11,666.67	(11,666.67)	0.00	140,000.00	0.00%	140,000.00
Materials & Supplies	0.00	1,666.67	(1,666.67)	1,525.36	20,000.00	7.63%	18,474.64
Personnel Services	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Professional/Contract Services	0.00	1,250.00	(1,250.00)	0.00	15,000.00	0.00%	15,000.00
Police Totals	0.00	15,000.01	(15,000.01)	1,525.36	180,000.00	0.85%	178,474.64
Expense Total	0.00	15,000.01	(15,000.01)	1,525.36	180,000.00	0.85%	178,474.64

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20 - Crime Control and Prevention Dist Police	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
20-20-5104 Salaries - Overtime	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
20-20-5206 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
20-20-5214 Advertising/Printing Expense	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
20-20-5222 Investigations	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
20-20-5223 Training & Travel	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
20-20-5301 Office Supplies	0.00	500.00	(500.00)	0.00	6,000.00	0.00%	6,000.00
20-20-5303 Public Education & Training	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
20-20-5307 Investigation Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
20-20-5314 Computer & Technology	0.00	416.67	(416.67)	982.00	5,000.00	19.64%	4,018.00
20-20-5315 Computer Software/License	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
20-20-5316 Equipment Repair/Parts	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
20-20-5317 Equipment & Other Rentals	0.00	333.33	(333.33)	0.00	4,000.00	0.00%	4,000.00
20-20-5330 Miscellaneous	0.00	416.67	(416.67)	543.36	5,000.00	10.87%	4,456.64
20-20-5630 Furniture & Equipment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
20-20-5650 Vehicles & Machinery	0.00	11,666.67	(11,666.67)	0.00	140,000.00	0.00%	140,000.00
Police Totals	0.00	15,000.01	(15,000.01)	1,525.36	180,000.00	0.85%	178,474.64
Expense Totals	0.00	15,000.01	(15,000.01)	1,525.36	180,000.00	0.85%	178,474.64

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30 - Capital Improvements Plan Fund (Debt Service)	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Summary							
Debt Service	0.00	8,250.00	(8,250.00)	0.00	99,000.00	0.00%	99,000.00
Expense Totals	0.00	8,250.00	(8,250.00)	0.00	99,000.00	0.00%	99,000.00

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30 - Capital Improvements Plan Fund (Debt Service)	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Miscellaneous							
30-4910 Interest Income	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Miscellaneous Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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30 - Capital Improvements Plan Fund Adminstration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Debt Service	0.00	8,250.00	(8,250.00)	0.00	99,000.00	0.00%	99,000.00
Adminstration Totals	0.00	8,250.00	(8,250.00)	0.00	99,000.00	0.00%	99,000.00
Expense Total	0.00	8,250.00	(8,250.00)	0.00	99,000.00	0.00%	99,000.00

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30 - Capital Improvements Plan Fund (Adminstration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
30-10-5501 Debt Principal	0.00	6,250.00	(6,250.00)	0.00	75,000.00	0.00%	75,000.00
30-10-5502 Bond Principal	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
30-10-5503 Long Term Debt Principal	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
30-10-5507 Debt Service	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
30-10-5511 Interest on Bonds	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
30-10-5513 Interest on Debt	0.00	2,000.00	(2,000.00)	0.00	24,000.00	0.00%	24,000.00
30-10-5514 Amortization of Bonds & Other	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
30-10-5515 Amortization of Premium &	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
30-10-5519 Interest Expenditures	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Adminstration Totals	0.00	8,250.00	(8,250.00)	0.00	99,000.00	0.00%	99,000.00
Expense Totals	0.00	8,250.00	(8,250.00)	0.00	99,000.00	0.00%	99,000.00

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35 - Capital Improvements Plan Fund (Local)	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Summary							
Capital Outlay	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00
Expense Totals	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00

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35 - Capital Improvements Plan Fund (Local)	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Not Categorized							
35-4230 Impact Study	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Not Categorized Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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35 - Capital Improvements Plan Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00
Administration Totals	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00
Expense Total	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00

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35 - Capital Improvements Plan Fund (Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
35-10-5660 Contingency/Reserves	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00
Administration Totals	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00
Expense Totals	0.00	2,916.67	(2,916.67)	0.00	35,000.00	0.00%	35,000.00

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40 - Court Technology Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Fines & Forfeitures	585.47	208.33	377.14	2,623.94	2,500.00	104.96%	(123.94)
Revenue Totals	585.47	208.33	377.14	2,623.94	2,500.00	104.96%	(123.94)
Expense Summary							
Materials & Supplies	119.98	0.00	119.98	119.98	0.00	0.00%	(119.98)
Expense Totals	119.98	0.00	119.98	119.98	0.00	0.00%	(119.98)

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40 - Court Technology Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Fines & Forfeitures							
40-4707 Court Technology Fee	585.47	208.33	377.14	2,623.94	2,500.00	104.96%	(123.94)
Fines & Forfeitures Totals	585.47	208.33	377.14	2,623.94	2,500.00	104.96%	(123.94)
Revenue Totals	585.47	208.33	377.14	2,623.94	2,500.00	104.96%	(123.94)

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40 - Court Technology Fund Municipal Court	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	119.98	0.00	119.98	119.98	0.00	0.00%	(119.98)
Municipal Court Totals	119.98	0.00	119.98	119.98	0.00	0.00%	(119.98)
Expense Total	119.98	0.00	119.98	119.98	0.00	0.00%	(119.98)

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40 - Court Technology Fund Municipal Court	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
40-25-5332 Court Technology	119.98	0.00	119.98	119.98	0.00	0.00%	(119.98)
Municipal Court Totals	119.98	0.00	119.98	119.98	0.00	0.00%	(119.98)
Expense Totals	119.98	0.00	119.98	119.98	0.00	0.00%	(119.98)

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41 - Court Security Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Fines & Forfeitures	717.21	208.33	508.88	3,183.27	2,500.00	127.33%	(683.27)
Revenue Totals	717.21	208.33	508.88	3,183.27	2,500.00	127.33%	(683.27)
Expense Summary							
Materials & Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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41 - Court Security Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Fines & Forfeitures							
41-4708 Court Security Fee	717.21	208.33	508.88	3,183.27	2,500.00	127.33%	(683.27)
Fines & Forfeitures Totals	717.21	208.33	508.88	3,183.27	2,500.00	127.33%	(683.27)
Revenue Totals	717.21	208.33	508.88	3,183.27	2,500.00	127.33%	(683.27)

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41 - Court Security Fund Municipal Court	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Materials & Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Municipal Court Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Total	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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41 - Court Security Fund Municipal Court	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
41-25-5333 Court Security	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Municipal Court Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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50 - Vehicle Replacement Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Summary							
Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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50 - Vehicle Replacement Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Miscellaneous							
50-4000 Vehicle Replacement Revenue	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Miscellaneous Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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50 - Vehicle Replacement Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administration Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Total	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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50 - Vehicle Replacement Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
50-10-5650 Vehicles & Machinery	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administration Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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70 - ICDA General Operating Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Property Tax	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Miscellaneous	0.00	0.00	0.00	10,148.13	0.00	0.00%	(10,148.13)
Revenue Totals	0.00	0.00	0.00	10,148.13	0.00	0.00%	(10,148.13)
Expense Summary							
Professional/Contract Services	0.00	0.00	0.00	4,381.57	0.00	0.00%	(4,381.57)
Materials & Supplies	0.00	0.00	0.00	(22,284.14)	0.00	0.00%	22,284.14
Debt Service	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	0.00	0.00	0.00	(17,902.57)	0.00	0.00%	17,902.57

Copy

City of Iowa Colony
Financial Statement
As of January 31, 2022

2/23/2022 12:19 PM

70 - ICDA General Operating Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Property Tax							
70-4120 Property Tax	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Property Tax Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Miscellaneous							
70-4930 Miscellaneous Income	0.00	0.00	0.00	10,148.13	0.00	0.00%	(10,148.13)
Miscellaneous Totals	0.00	0.00	0.00	10,148.13	0.00	0.00%	(10,148.13)
Revenue Totals	0.00	0.00	0.00	10,148.13	0.00	0.00%	(10,148.13)

Copy

City of Iowa Colony
Financial Statement
As of January 31, 2022

70 - ICDA General Operating Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Debt Service	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Materials & Supplies	0.00	0.00	0.00	(22,284.14)	0.00	0.00%	22,284.14
Professional/Contract Services	0.00	0.00	0.00	4,381.57	0.00	0.00%	(4,381.57)
Administration Totals	0.00	0.00	0.00	(17,902.57)	0.00	0.00%	17,902.57
Expense Total	0.00	0.00	0.00	(17,902.57)	0.00	0.00%	17,902.57

Copy

City of Iowa Colony
Financial Statement
As of January 31, 2022

70 - ICDA General Operating Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
70-10-5201 Legal Services	0.00	0.00	0.00	612.50	0.00	0.00%	(612.50)
70-10-5223 Travel Expense	0.00	0.00	0.00	16.80	0.00	0.00%	(16.80)
70-10-5301 Printing & Office Supplies	0.00	0.00	0.00	47.70	0.00	0.00%	(47.70)
70-10-5310 Postage Expense	0.00	0.00	0.00	2.12	0.00	0.00%	(2.12)
70-10-5330 Miscellaneous Expense	0.00	0.00	0.00	(22,333.96)	0.00	0.00%	22,333.96
70-10-5700 Annual Disclosure Expenses	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
70-10-5701 Bookkeeping Fees	0.00	0.00	0.00	1,688.25	0.00	0.00%	(1,688.25)
70-10-5702 Consulting Services	0.00	0.00	0.00	522.50	0.00	0.00%	(522.50)
70-10-5703 Arbitrage Expense	0.00	0.00	0.00	900.00	0.00	0.00%	(900.00)
70-10-5704 Delivery Expense	0.00	0.00	0.00	641.52	0.00	0.00%	(641.52)
70-10-5705 Transfer to Debt Service	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administration Totals	0.00	0.00	0.00	(17,902.57)	0.00	0.00%	17,902.57
Expense Totals	0.00	0.00	0.00	(17,902.57)	0.00	0.00%	17,902.57

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City of Iowa Colony
Financial Statement
As of January 31, 2022

71 - ICDA Capital Projects Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Expense Summary							
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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City of Iowa Colony
Financial Statement
As of January 31, 2022

71 - ICDA Capital Projects Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administration Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Total	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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City of Iowa Colony
Financial Statement
As of January 31, 2022

71 - ICDA Capital Projects Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
71-10-5706 Transfer to Operating Fund	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administration Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

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City of Iowa Colony
Financial Statement
As of January 31, 2022

72 - ICDA Debt Service Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Miscellaneous	0.00	0.00	0.00	32,502.09	0.00	0.00%	(32,502.09)
Revenue Totals	0.00	0.00	0.00	32,502.09	0.00	0.00%	(32,502.09)
Expense Summary							
Materials & Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Debt Service	0.00	0.00	0.00	314,237.52	0.00	0.00%	(314,237.52)
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	0.00	0.00	0.00	314,237.52	0.00	0.00%	(314,237.52)

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City of Iowa Colony
Financial Statement
As of January 31, 2022

72 - ICDA Debt Service Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Miscellaneous							
72-4931 Proceeds from Sale of Bonds	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
72-4932 Pledged Revenue	0.00	0.00	0.00	32,502.09	0.00	0.00%	(32,502.09)
Miscellaneous Totals	0.00	0.00	0.00	32,502.09	0.00	0.00%	(32,502.09)
Revenue Totals	0.00	0.00	0.00	32,502.09	0.00	0.00%	(32,502.09)

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City of Iowa Colony
Financial Statement
As of January 31, 2022

72 - ICDA Debt Service Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
Debt Service	0.00	0.00	0.00	314,237.52	0.00	0.00%	(314,237.52)
Materials & Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administration Totals	0.00	0.00	0.00	314,237.52	0.00	0.00%	(314,237.52)
Expense Total	0.00	0.00	0.00	314,237.52	0.00	0.00%	(314,237.52)

Copy

City of Iowa Colony
Financial Statement
As of January 31, 2022

72 - ICDA Debt Service Fund Administration	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
72-10-5330 Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
72-10-5502 Bond Principal	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
72-10-5510 Bond Issuance Cost	0.00	0.00	0.00	7,500.00	0.00	0.00%	(7,500.00)
72-10-5511 Bond Interest Expense	0.00	0.00	0.00	306,737.52	0.00	0.00%	(306,737.52)
72-10-5706 Transfer to Operating Fund	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Administration Totals	0.00	0.00	0.00	314,237.52	0.00	0.00%	(314,237.52)
Expense Totals	0.00	0.00	0.00	314,237.52	0.00	0.00%	(314,237.52)

Copy

NO.	LOCATION	DESCRIPTION
A	SIGNAGE	
1	Dubuque	40 M.P.H
2	tesla dr. @Franklin	street marker
3	Baster dr. @ Pursley dr.	street marker
4	Dubuque pkwy @ Pursley Blvd	Replace post
5	Dubuque pkwy @ Pursley Blvd	Replace stop sign
6	Dubuque pkwy @ Pursley Blvd	Replace street maker
7	Pursley Blvd @Brister Rd	Replace Post
8	Pursley Blvd @Brister Rd	Replace stop sign
9	Pursley Blvd @Brister Rd	add street maker
10	Pursley Blvd @Brister Rd	replace ground Sleeve
11	Meridiana Plwy @ Obserivation Way N.	Straighten post
12	Meridiana Plwy @ Obserivation Way N.	Straighten post
13	Meridiana Plwy @ Obserivation Way N.	Straighten post
14	Meridiana Plwy @ Obserivation Way N.	Straighten post
15	Ames Blvd @ CR382	New sleeve
16	Ames Blvd @ CR382	New Post
17	Ames Blvd @ CR382	New wedge
18	Ames Blvd @ CR382	Replace stop sign
19	Ames Blvd @ CR382	Replace Street Maker
20	Ames Blvd @ CR382	Straighten post
21	Pursley Blvd	Replace Watch for ice on the bridge(N
22	Pursley Blvd	Replace Watch for ice on the bridge(S)
23		
24		
25		
26		

Copy

B.	DEBRIS REMOVAL	
1	Discovery Dr.	Trash
2	Davenport	Trash
3		
4		
C.	MOWING/TREE TRIMMING	
1		
2		
3		
4		
5		
6		
D.	STREET REPAIRS	
1	Cedar Rapids	Potholes
2		
3		
4		

Copy

E.	POWER LINES MAINTENANCE	
1		
2		
	Ditch Drainage issue	
1	9201 Ruth Rd	Set Culverts
2		
3		
	Parks	
	Parks	Cut Grass
	Parks	Ant bed
	Parks	trash
	Parks	Basketball goal
	Parks	Doggie station
	Miscellaneous Works	
1	City Hall	romoved lights
2	City Hall	Removed Road Close signs
3	City Hall	Added Cabinet handles
4		
5		

Copy

NOTES	STATUS	DATE COMPLET
needed to be set upright	Done	1/10/2022
needed to add it back on the post	Done	1/18/2022
	Done	1/26/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
	Done	1/27/2022
Between Dubque and Brister	Done	1/27/2022
Between Dubque and Brister	Done	1/27/2022

Copy

picked up a box	Done	5-Jan
Picked up a bed	Done	1/11/2022

waiting for approvel	Done	1/28/2022
	Done	5-Jan
	Done	1/5//2022
	Done	1/5/2022
	done	1/12/2022
Replace locks	Done	1/28/2022
	Done	5-Jan
	Done	10-Jan
	Done	1/11/2022

Copy

NO.	LOCATION	DESCRIPTION
A	SIGNAGE	
1	Davenport pkwy@Pursely dr	sign down
2	Iowa Colony pkwy @ Davenport pkwy (N)	Leaning Sign
3	Iowa Colony pkwy @ Davenport pkwy (N)	Leaning sign
4	Iowa Colony pkwy @ Davenport pkwy (N)	Leaning sign
5	Canyon Dr.@Terra st	Stop Sign
6	Iowa Colony pkwy @ Davenport pkwy	Stop Sign
7	Lake ct @ Spring ct	sign down
8	Discovery Dr. @Iowa Colony pkwy	Leaning sign
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		

Copy

B.	DEBRIS REMOVAL	
1	Meridiana	Paint in the road
2	Meridiana	Paint in the road
3		
4		

C.	MOWING/TREE TRIMMING
1	
2	
3	
4	
5	
6	

Copy

D.	STREET REPAIRS	
1	Iowa Colony pkwy @ Bullard rd	Pot hole
2	Cedar Rapids	Pot hole
3	CR 79 @ Cedar Rapids	Pot hole
4		

E.	POWER LINES MAINTENANCE	
1		
2		
	Ditch Drainage issue	
1	11720 Iowa Colony	Culverts added
2		
3		
	Parks	
	Park	baseball fields
	park	baseball fields
	Miscellaneous Works	
1	City Hall	romoved lights
2	City Hall	Removed Road Close signs
3	City Hall	Added Cabinet handles
4	City Hall	
5		

Copy

NOTES	STATUS	DATE COMPLET
Welcome to Iowa colony	Done	2/1/2022
Walker ahead	Done	2/1/2022
Yield to here	Done	2/1/2022
Walker ahead	Done	2/1/2022
Turned the worng way	Done	2/1/2022
stop sign off the post	Done	2/7/2022
post down	Done	2/21/2022
Stop ahead	Done	2/22/2022

Copy

	Done	2/22/2022
	Done	2/22/2022

Copy

Fill pot holes	Done	2/7/2022
Fill pot holes	Done	2/7/2022
Fill pot holes	Done	2/14/2022

	Done	2/16/2022
Change locks	Done	2/11/2022
added signs to the fields	Done	2/11/2022
	Done	44201
	Done	44206
	Done	44572

Copy

City of Iowa Colony, Texas, Resolution No. 2022-_____

RESOLUTION OF THE CITY OF IOWA COLONY, TEXAS, AUTHORIZING NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION

Recitals

WHEREAS, the City of Iowa Colony, Texas, ("City") desires to issue certificates of obligation in an amount not to exceed $14,000,000 for the purposes of financing (1) all or any part of the acquisition, construction, installation and equipping of a police station and additional City office space physically connected thereto; (2) professional services related to item (1); and (2) costs of issuance of the certificates (the "Certificates"); and

WHEREAS, Section 271.049 of the Texas Local Government Code requires the publication of notice before the Certificates may be issued, which publication must be made once a week for two consecutive weeks in a newspaper of general circulation in the City, with the first publication date to be at least 46 days prior to the date tentatively set for passage of the ordinance authorizing the issuance of the Certificates; and

WHEREAS, the City has determined that the Alvin Sun is a newspaper of general circulation in the City meeting the requirements of Subchapter C, Chapter 2051, Texas Government Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

Copy

Section 1. The City Council of the City hereby finds that the facts stated in the above Recitals are true and correct.

Section 2. The City Council authorizes and directs the City Secretary to publicize the attached Notice of Intent to Issue Certificates of Obligation of the City of Iowa Colony, Texas, as follows:

a. by posting on the City's internet website no later than April 1, 2022, continuously through the date of the City's consideration of the ordinance authorizing the issuance of the Certificates.

b. by publication in the Alvin Sun once a week for two consecutive weeks, with the first publication to occur no later than March, 31, 2022.

Section 3. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon.

City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 4. This Resolution shall irrevocably take effect immediately upon its first and final reading and the passage and approval.

[Signature page follows.]

Copy

PASSED AND ADOPTED the 28th day of February, 2022.

_____
Mayor

ATTEST:

_____
City Secretary

Copy

EXHIBIT A

NOTICE OF INTENT
TO ISSUE CERTIFICATES OF OBLIGATION
OF THE CITY OF IOWA COLONY, TEXAS

The City Council of the City of Iowa Colony, Texas (the "City") shall convene at 7:00 p.m. on May 16, 2022, at its regular meeting place in the Council Chambers, Iowa Colony City Hall, 12003 Iowa Colony Boulevard, Iowa Colony, Texas, to consider the passage of an ordinance authorizing the issuance of certificates of obligation in a principal amount not to exceed $14,000,000 (the "Certificates") for the purposes of financing (1) all or any part of the acquisition, construction, installation and equipping of a police station and additional City office space physically connected thereto; (2) professional services related to item (1); and (2) costs of issuance of the Certificates. The City proposes to provide for the payment of the Certificates from the levy and collection of ad valorem taxes in the City as provided by law and from a limited pledge of net revenues (in an amount not to exceed $500), if any, received by the City from the ownership and operations of the City's park system.

The estimated combined principal and interest required to pay the Certificates on time and in full is $21,222,089.17. Such estimate is provided for illustrative purposes only and is based on an assumed interest rate of 3.55%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City is $1,175,000, and based on the City's expectations, as of the date of this notice, the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City on time and in full is $1,350,491. The Certificates may bear interest at any rate or rates, not to exceed the maximum interest rate authorized by law, as shall be determined within the discretion of the City Council at the time of issuance of the Certificates. The Certificates may mature over a period of years not to exceed forty (40) years from the date thereof.

Copy

This notice is given pursuant to Subchapter C of Chapter 271, Texas Local Government Code.

Sierra Vista Development

Copy

SUMMARY OF CONTENT

PRESENTATION OVERVIEW

Master-Planned Community

Project Information: Phases I-III

Demographics

Salaries

Master Planned Comparables

Copy

PRESENTED TO: CITY OF IOWA COLONY

IOWA COLONY AND MERIDIANA PARKWAY AERIAL

OVERALL SIERRA VISTA DEVELOPMENT

CITY OF IOWA COLONY

SIERRA VISTA MIXED-USE SITE PLAN

SIERRA VISTA MIXED-USE PROJECT
PHASE I: MULTIFAMILY

Sierra Vista Living

SIERRA VISTA LIVING RENDERING

TYPICAL UNIT ELEVAITON

Copy

CLUBHOUSE EXTERIOR CONCEPT

DESIGN / MATERIAL CONCEPT

SIERRA VISTA LIVING
SITE PLAN

LOT INFORMATION:

ADDRESS: SIERRA VISTA 383, CITY OF ARCOLA, TEXAS

LOT SIZE:
LOT 1: 11.4 ACRES (496,584 SF)
LOT 2: 3.482 ACRES (151,675.92 SF)

UNITS LEGEND:

UNIT A1 / UNIT A1 ANSI:

UNIT B1 / UNIT B1 ANSI:

UNIT B2 / UNIT B2 ANSI:

CLUBHOUSE / OFFICE:

UNITS SCHEDULE - SITE 1

UNITS NAME	COUNT / FLOOR	UNITS AREA	TOTAL AREA	SITE
	21	632 SF	4,424 SF	SITE 1
	129	632 SF	26,544 SF	SITE 1
	18	883 SF	5,298 SF	SITE 1
	114	883 SF	34,437 SF	SITE 1
	6	942 SF	1,884 SF	SITE 1
	12	942 SF	3,768 SF	SITE 1
TOTAL UNITS / FLOOR	: 300		*76,355 SF*	
TOTAL LEVELS:	*3*			
TOTAL UNITS:	*100 X 3 = 300*			

PARKING ANALYSIS - SITE 1:

REQD. PARKING:
1.333 SPACES / 1 BEDROOM UNIT X 147 UNITS = 196
1.666 SPACES / 2 BEDROOM UNIT X 153 UNITS = 255

TOTLE REQD. SPACES: 451

PROVIDED SPACES:
TOTAL PROVIDED: 472

EXPOSED PARKING (STANDARD): 258
EXPOSED PARKING (ACCESSIBLE): 0
COVERED PARKING (STANDARD): 204
COVERED PARKING (ACCESSIBLE): 10

UNITS SCHEDULE - SITE 2

UNITS NAME	COUNT / FLOOR	UNITS AREA	TOTAL AREA	SITE
	9	632 SF	1,896 SF	SITE 2
	27	632 SF	6,320 SF	SITE 2
	6	883 SF	1,766 SF	SITE 2
	24	883 SF	7,064 SF	SITE 2
	3	942 SF	942 SF	SITE 2
TOTAL UNITS / FLOOR	: 69		*17,988 SF*	
TOTAL LEVELS:	*3*			
TOTAL UNITS:	*24 X 3 = 72*			

PARKING ANALYSIS - SITE 1:

REQD. PARKING:
1.333 SPACES / 1 BEDROOM UNIT X 39 UNITS = 52
1.666 SPACES / 2 BEDROOM UNIT X 33 UNITS = 55

TOTLE REQD. SPACES: 107

PROVIDED SPACES:
TOTAL PROVIDED: 126

EXPOSED PARKING (STANDARD): 49
EXPOSED PARKING (ACCESSIBLE): 2
COVERED PARKING (STANDARD): 72
COVERED PARKING (ACCESSIBLE): 5

N

1 SITE
1" = 50'-0"

CITY OF IOWA COLONY

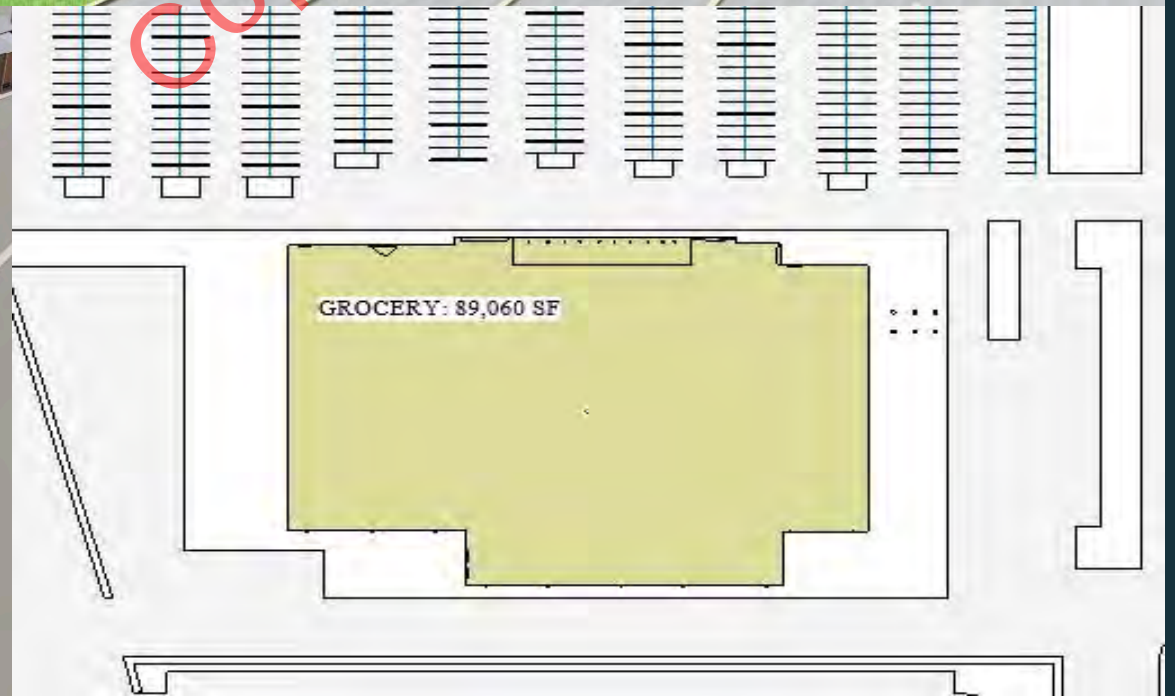
element architects

NAIpartners HOUSTON | AUSTIN | SAN ANTONIO

BuildPro CONSTRUCTION SERVICES

SIERRA VISTA MIXED-USE PROJECT
PHASE II: GROCERY

SIERRA VISTA GROCERY



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SIERRA VISTA MIXED-USE PROJECT
PHASE III: RETAIL

SIERRA VISTA RETAIL

Copy

DEMOGRAPHICS

POPULATION	1 MILE		3 MILES	
2021 Estimated Population	3,651		12,590	
2021-2026 Projected Annual Growth	903	4.9%	-	
2010-2021 Historical Annual Growth	3,400	123.1%	-	

HOUSEHOLDS	1 MILE		3 MILES	
2021 Estimated Households	1,346		4,408	
2026 Projected Households	1,704		5,502	
2021 Total Housing Units	1,463		4,787	
2010-2021 Historical Annual Growth	1,019	20.9%	3,237	19.0%
2021 Estimated Average Household Income	$52,562		$64,228	

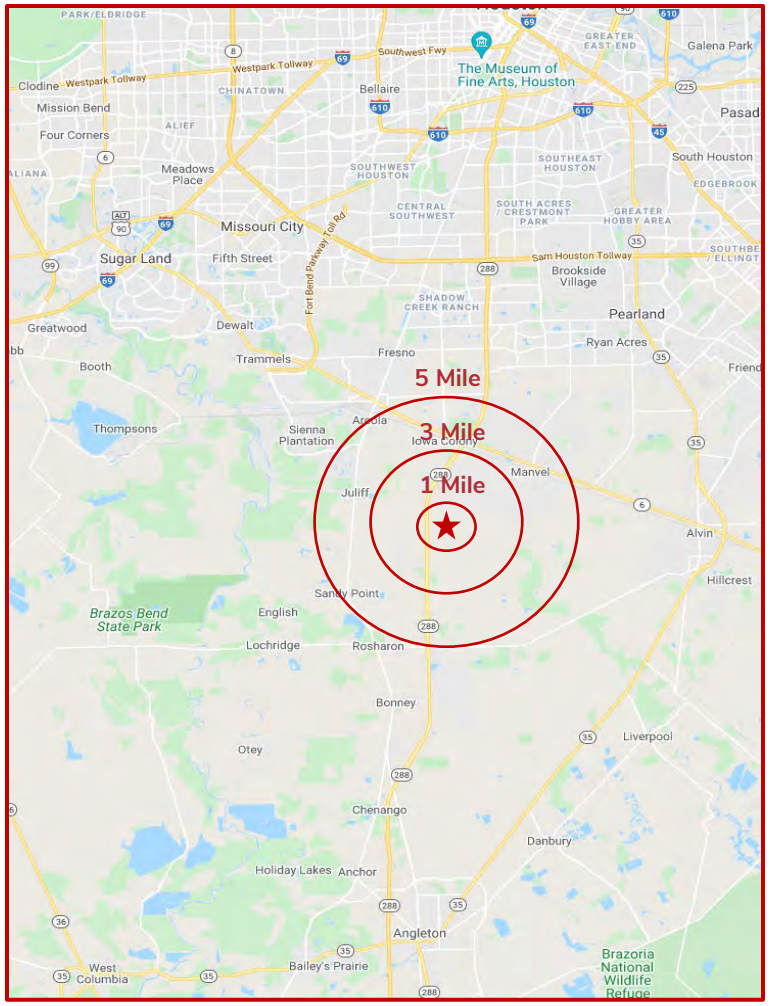
Copy

DEMOGRAPHICS

HOME VALUES	1 MILE		3 MILES	
$500,000 to $749,999	87	6.8%	224	5.3%
$400,000 to $499,999	123	9.6%	281	6.7%
$300,000 to $399,999	220	17.2%	841	20.0%
$250,000 to $299,999	145	11.3%	526	12.5%
$200,000 to $249,999	236	18.4%	755	18.0%

Copy

- 70% OF HOMES WITHIN A THREE (3) MILE RADIUS ARE OVER $200,000, WITH 50% OF THOSE HOMES BEING $300,000 OR HIGHER.
- HOME PRICES ARE INCREASING AT A RATE HIGHER THAN THE AVERAGE PAY. A STARTER HOME IN 2021, IS $250,000 TO $350,000 WITH AN AVERAGE MORTGAGE OF $2,000 TO $3,000.
- MULTIFAMILY RENT IN PEARLAND AREA AVERAGES BETWEEN $1,100 to $1,800 PER MONTH.



MEDIAN NEW HOME PRICE OVER FIVE YEARS

2021
Median New Home: $352,888

2020
Median New Home: $307,984

2019
Median New Home: $290,574

2018
Median New Home: $309,574

2017
Median New Home: $304,086

2016
Median New Home: $290,556

***

2011
Median New Home: $146,988

Copy

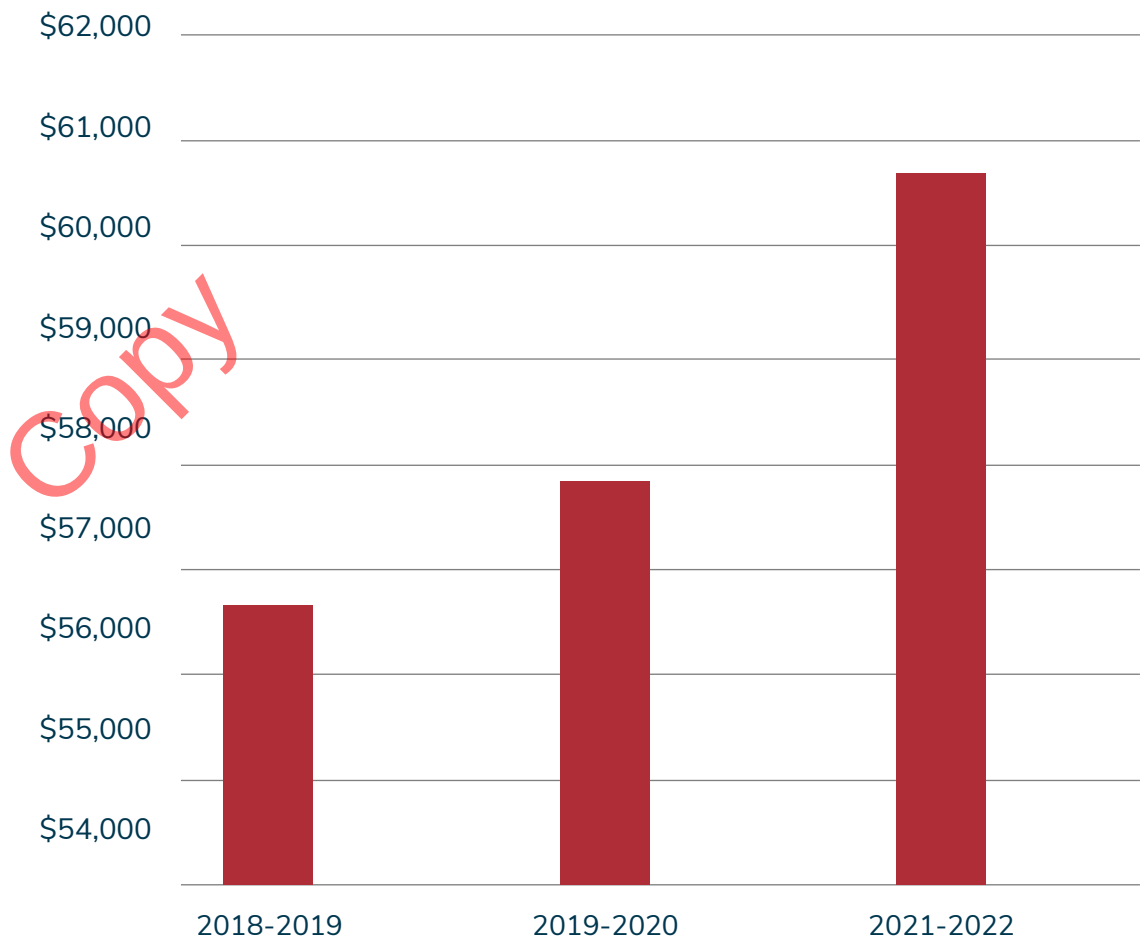
ALVIN ISD – HISTORICAL AVERAGE TEACHER SALARY

* A TEACHER'S SALARY CAN AFFORD $1,400 OR LESS IN MONTHLY RENT/MORTGAGE

2018-2019
AVG Salary: $56,675

2019-2020
AVG Salary: $57,775

2021-2022
AVG Salary: $60,725



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BuildPro CONSTRUCTION SERVICES
NAIpartners HOUSTON | AUSTIN | SAN ANTONIO

AVERAGE PUBLIC SAFETY WAGES BY DEPARTMENT

HOUSTON POLICE OFFICER
AVG Salary: $58,785 - $70,847
Equals $1,200 to $1,800 per Month

BRAZORIA COUNTY PATROL DEPUTY
AVG Salary: $48,701
Equals $1,000 per Month

TEXAS STATE TROOPER
AVG Salary: $59,715
Equals $1,200 to $1,800 per Month

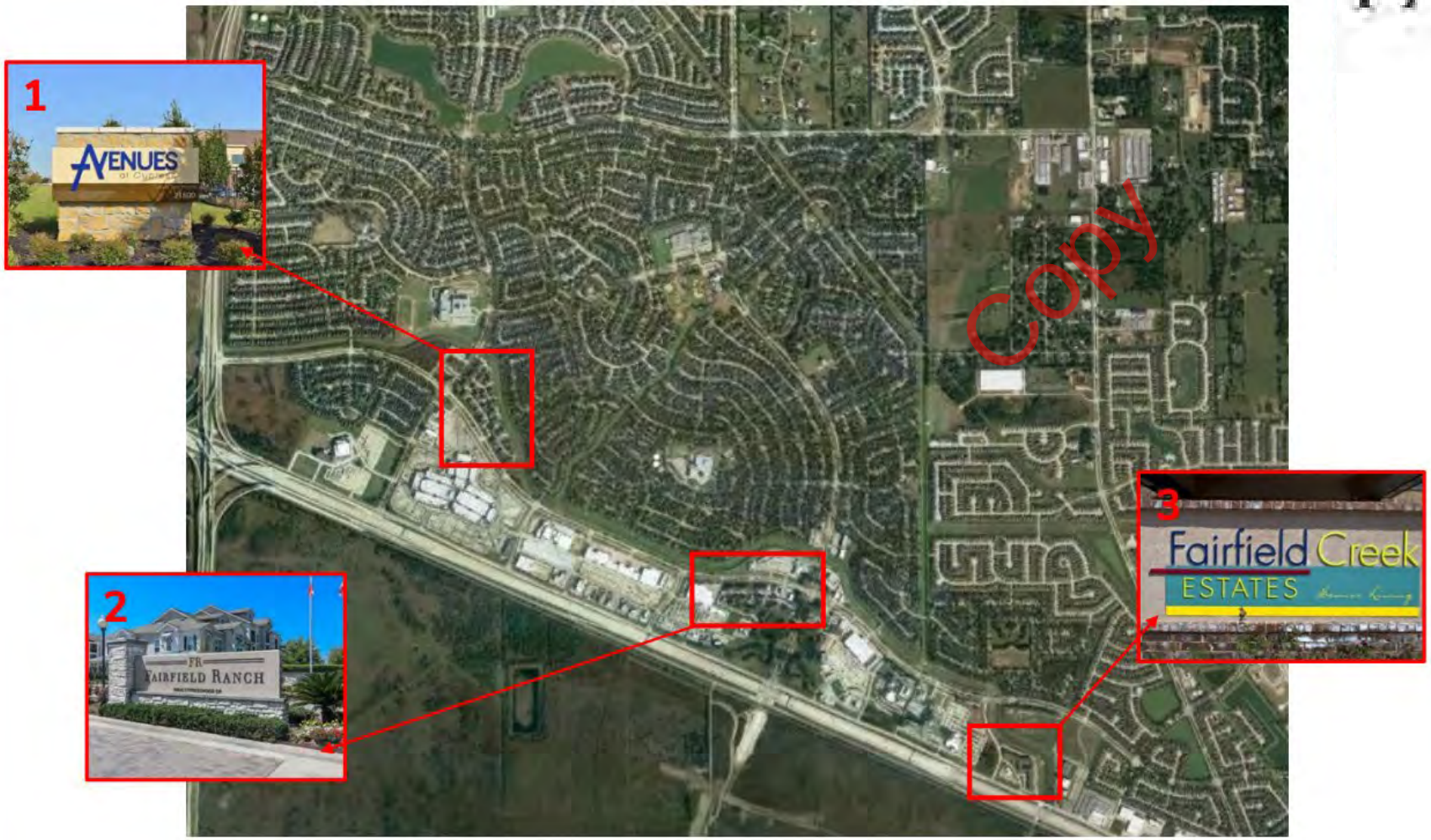
HOUSTON FIRE DEPARTMENT FIREFIGHTER
AVG Salary: $46,124
Equals $1,200 to $1,000 per Month

PEARLAND FIRE DEPARTMENT
AVG Salary: $52,836
Equals $1,100 to $1,300 per Month

Copy

FAIRFIELD COMMUNITY AERIAL

FAIRFIELD



1. AVENUES AT CYPRESS
   - 240 UNITS
   - 93% OCCUPANCY
2. FAIRFIELD RANCH
   - 29 UNITS
   - 98% OCCUPANCY
3. FAIRFIELD CREEK ESTATES
   - 143 UNITS
   - 100% OCCUPANCY

SIENNA COMMUNITY AERIAL

SIENNA

1. THE HUNTINGTON AT SIENNA RANCH
   - 149 UNITS
   - 100% OCCUPANCY
2. BROADSTONE SIENNA
   - 330 UNITS
   - 96% OCCUPANCY
3. THE HUNTINGTON
   - 132 UNITS
   - 96% OCCUPANCY

PEARLAND COMMUNITY AERIAL

Copy

COMMUNITY AERIAL

1. RESIDENCES AT PEARLAND TOWN CENTER
   - 234 UNITS
   - 98% OCCUPANCY
2. COBBLESTONE
   - 562 UNITS
   - 98% OCCUPANCY
3. SOUTHFORK LAKE APARTMENTS
   - 328 UNITS
   - 94% OCCUPANCY

PRESENTED BY

NAI partners
HOUSTON | AUSTIN | SAN ANTONIO

NAI PARTNERS
ALEX MAKRIS
ZACH LEGER

BuildPro
CONSTRUCTION SERVICES

BUILDPRO CONSTRUCTION SERVICES
RICHARD OSIKA
ABBEY VALDEZ

Copy

SIERRA VISTA – 383

SURI PULLEMLA

ADICO
CONSULTING ENGINEERS

MEMORANDUM

Date: **January 27, 2022**

To: **Planning and Zoning Committee**

City Councilmembers

From: **Dinh V. Ho, P.E.**

RE: **Sierravista- 383 – Mixed Use Project**

Staff's Summary and Recommendations

CC: **Mayor Michael Byrum-Bratsen, Robert Hemminger Kayleen Rosser**

The Commercial Developer for Sierra Vista, Sierravista – 383, in conjunction with NAI Partners Development and Weiner Whitestone Development is proposing a Mixed Use Development within Sierra Vista between Karsten Blvd. and SH 288.

The Developer presented the plan to City Council in workshop at the December 20th, 2021 City Council Meeting.

The proposed development includes portions of Tract 5B, Tract 5C and 5D as identified in the Sierra Vista/Sterling Lakes General Development Plan (approximately 45 acres). The permitted land uses for the Commercial tract shall be those uses permitted within District MU of the Zoning Ordinance. Commercial may include multi-family residential, subject to City Council Approval at the time multi-family is a proposed development.

Copy

1) Proposed Commercial

a) Grocery Store – Approximately 89,060 SF
b) Strip Center along SH 288 frontage road

Staff recommends approval subject to the requirements of the Plan of Development.

2) Proposed Multifamily

i) Total acreage: 14.882 acres (two tracts)
ii) Proposing a total of 372 units on two projects.

If City Council chooses to allow for multifamily, staff recommends approval subject to the following, in addition to the requirements of the Sierra Vista/Sterling Lakes Plan of Development.

(1) Multi-family use limit to 300 units per project (per the POD).
(2) Limit to 22 units per net acres per the POD, unless parking garage is provided. (Currently proposed as 25 units/net acres)
(3) All surface parking lots shall be screened from view of any adjacent public streets with a min 3' berm or landscape edge per POD.
(4) All fencing shall be masonry or wrought iron. Fencing shall be subject to final approval.
(5) Provide façade requirements to include masonry (as defined as brick, stone or stucco) on all first floor of building and total of 60% of the entire façade. The façade and architectural features shall be in uniform with the Sierra Vista Development.

CITY OF IOWA COLONY

APPLICATION FOR VARIANCE REQUEST or APPEAL

12003 IOWA COLONY BLVD., IOWA COLONY, TEXAS 77583 | PHONE: 281-369-2471 | FAX: 281-369-0005 | WWW.CITYOFIOWACOLONY.COM

Please use this application to request a variance/appeal within the Subdivision Ordinance, Zoning Ordinance, Unified Development Code (UDC) and Sign Ordinance. An Application for Variance Request/Appeal shall be considered by Planning Commission and Planning Commission shall make a recommendation to City Council, who has the authority to grant or deny variance requests. Considerations are made at the monthly Planning Commission and City Council meetings. Refer to the www.cityofiowacolony.com for Planning Commission and City Council scheduled meeting dates and all ordinances and development guidelines affecting the City. Provide hard copies and digital files (cd or flash drive) of application and any supporting documentation to the City Secretary. This application may be used for several requests but only one property or one section of a subdivision. The application fee for Variance Requests/Appeal is $1,000, due at the time of submission and is non-refundable. Applications received without the required fee shall be considered incomplete.

TYPE OF VARIANCE REQUEST (SELECT ONE): [ ] ZONING [✓] UDC [ ] ZONING ORDINANCE [ ] SIGN ORDINANCE [ ] APPEAL

APPLICANT INFORMATION:

Name of Applicant: Abrahim Nimroozi / West Belt Surveying, Inc.

Address of Applicant: 21020 Park Row Dr, Katy, TX 77449 Phone: [redacted]

Email: abrahimn@westbeltsurveying.com

Name of Owner: Alvin Independent School District

Address of Owner: 301 E. House Street, Alvin, TX 77511 Phone: 281-245-2555

Email: bvanwagner@alvinisd.net

PROPERTY INFORMATION:

Address Of Subject Property: Northeast corner of Davenport Drive and Crystal View Drive

Legal Description Of Subject Property: Lavaca Navigation Co. Survey, Abstract No. 329, Brazoria County, Texas

Brazoria County Tax No(s): 696160

Current Zoning: Iowa Colony ETJ Water and Sanitary Serviced by:

Street Frontage Type (Circle One): Private or Public FIRM Map Panel Number: 48039C0115K

Copy

VARIANCE REQUST/APPEAL INFORMATION: *Requestor must identify specific Chapter and Section of the Subdivision Ordinance, Zoning Ordinance, Unified Development Code or Sign Ordinance that the Variance Request applies to. If additional space is needed, please attach to this application.*

List Ordinance or Code: Section 3.5.3.1 - 71ft and 53 ft Build to Line

Request and reason: The land plan was to create a campus setting designed for the buidlig to be placed further back than the required build to line for the health and safety of the general public.

List Ordinance or Code:

Request and reason:

List of supplemental documentation provided:

Planning Commission Date Requested: February 1, 2022 City Council Date Requested: February 21, 2022

Requestor Signature or Owner and Date: [signature] 1/18/22

FOR CITY USE ONLY: Application Received By: Date Received:

Planning Commission Date: Fee Received:

City Council Date: Notifications Required: [ ] Published Notice [ ] Public Hearing

Date Approved or Denied: [ ] Posting on Property *(applicant responsibility)* [ ] Personal Notice

[ ] Written Notice of Decision

CITY OF IOWA COLONY

12003 Iowa Colony Blvd.
Iowa Colony Tx. 77583
Phone: 281-369-2471
Fax: 281 369 0005
www.iowacolonytx.gov

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 10th day of January, 2022, the City Council of the City of Iowa Colony, Texas, held a Worksession at 6:00 P.M. and a Public Meeting at 7:00 P.M. at Iowa Colony City Hall, there being present and in attendance the following members to wit:

Councilwoman Sydney Hargroder
Councilwoman Arnetta Murray
Councilwoman Marquette Greene-Young
Councilman Wil Kennedy
Councilman/Mayor Pro-Tem Chad Wilsey

Copy

And Mayor Michael Byrum-Bratsen being absent, constituting a quorum at which time the following business was transacted.

WORKSESSION- 6:00 P.M.
1. Mayor Pro-Tem Chad Wilsey called the work session to order at 6:06 P.M.
2. Discussion on MLK Day Celebration Program. Councilwoman Murray notified everyone that they have put a hold on the MLK Day Program due to the rise in COVID cases.
3. Discussion on Sierra Vista West Resort Amenity and Plan of Development changes. Staff discussed with Council the amendments to plan of developments for Sierra Vista and Sterling Lakes, and Sierra Vista West.
4. Discussion of Certificates of Obligation. Joel Cleveland, Bond Counsel discussed the schedule of events regarding the certificates of obligation.
5. The work session was adjourned at 7:00 P.M.

REGULAR MEETING – 7:00 P.M.
1. Mayor Pro-Tem Wilsey called the meeting to order at 7:08 P.M.
2. Pledge of Allegiance and Texas Pledge were recited.
3. **PUBLIC HEARINGS**
   - **Hold the second public hearing to consider entering into a Strategic Partnership Agreement with Brazoria County Municipal Utility District No. 53.**

Mayor Pro-Tem Wilsey opened the public hearing at 7:09 P.M. There were no comments from the public. Mayor Pro-Tem Wilsey closed the public hearing at 7:40 P.M.

- **Hold a public hearing to consider the adoption of an impact fee.**

Mayor Pro-Tem Wilsey opened the public hearing at 7:09 P.M. Mike Christopher with Elevation Land Solutions presented a letter on behalf of MUD 31 regarding impact fees. A copy of the letter is attached the minutes. Fred Coogan expressed his concerns about the impact fees and the impact they will have on his mother's property at the corner of County Road 48 and Meridiana Parkway. Mayor Pro-Tem Wilsey closed the public hearing at 8:00 P.M.

- **Hold a public hearing to consider annexing the following property:**

The Brazoria County Emergency Services District No. 3 public safety site, which is a 1.565-acre tract generally located on the south side of Meridiana Parkway and approximately 327.63 feet west of Karsten Boulevard, and which is the property in Brazoria County Appraisal District Property ID No. 692670 and Geographic ID No. 5550-1000-006.

Mayor Pro-Tem Wilsey opened the public hearing at 7:17 P.M. There were no comments from the public. Mayor Pro-Tem Wilsey closed the public hearing at 7:42 P.M.

4. Citizens Comments and Presentations. There were no comments from the public.

"An opportunity for the public to address City Council on agenda items or concerns not on the agenda. To comply with the Texas Open Meetings Act, this period is not for question and answer. Those wishing to speak must identify themselves and observe a three-minute time limit."

5. Mayor's comments or reports. Mayor Byrum-Bratsen was not present.

6. Council comments or reports.

- Mayor Pro-Tem/Councilman Wilsey gave no report.
- Councilman Kennedy wished everyone a Happy New Year. He stated that things are only going to get better by us working together. He encouraged everyone to get vaccinated and received their boosters. COVID is real and running rapid. He acknowledged that Sunday was Police Appreciation Day. He thanked the Chief and his Staff for their service and for protecting the community.
- Councilwoman Greene-Young wished everyone a Happy New Year. She stated that we all need to do our part so we can get back to regular life. Congratulations to the Chief.
- Councilwoman Murray stated that those that are not vaccinated need to be careful. We need to look out for each other. She thanked Albert Cantu. She appreciates law enforcement and all that they do.
- Councilwoman Hargroder wished everyone a Happy New Year.

Copy

7. Staff Reports.

A. City Manager- wished everyone a Happy New Year. The development continues and is exciting. He commended staff on their dedication. Senior Accountant, Sandra Castro gave birth to a baby boy. He needs the councilmembers to let him know who plans on attending the TML elected officials conference coming up in Sugarland.

B. City Engineer- Davenport has opened up at Iowa Colony Boulevard. They have been in contact with Center Point regarding the traffic signals.

C. Police Department

D. Building Official/Fire Marshal- Thanked all those who attended his son's funeral. He thanked Councilwoman Murray for going to the cemetery. Rachel discussed the permits. Albert also mentioned the amount of funds being saved with the inspection company.

E. City Secretary- The first day to file an application for a place on the ballot is January 19th and the last day to file is February 18th by 5 P.M. The candidate packet is available on the city website.
F. Senior Accountant
G. Public Works- Striping has been done and came in under budget.

8. Consideration and possible action on a Resolution and Order of Election of officers for May 7, 2022. Councilwoman Murray made a motion to approve the Resolution and Order of Election of officers for May 7, 2022. Seconded by Councilwoman Greene-Young. Approved unanimously.

9. Consideration and possible action on an ordinance approving a Strategic Partnership Agreement with Brazoria County Municipal Utility District No. 53. Councilwoman Hargroder made a motion to adopt an ordinance approving a Strategic Partnership Agreement with Brazoria County Municipal Utility District No. 53. Seconded by Councilwoman Murray. Approved unanimously.

10. Consideration and possible action to approve a Municipal Service Agreement with Brazoria County Emergency Services District No. 3 for the Public Safety Site. Councilman Kennedy made a motion to approve a Municipal Service Agreement with Brazoria County Emergency Services District No. 3 for the Public Safety Site. Seconded by Councilwoman Greene-Young. Approved unanimously.

Copy

11. Consideration and possible action on an ordinance annexing the Brazoria County Emergency Services District No. 3 Public Safety Site. Councilman Kennedy made a motion to approve an ordinance on first and final reading annexing the Brazoria County Emergency Services District No. 3 Public Safety Site. Seconded by Councilwoman Greene-Young. Approved unanimously.

12. Consideration and possible action on a resolution approving Amendment No. 1 to the Development Agreement and Plan of Development for Sierra Vista West. Councilwoman Hargroder made a motion to approve Amendment No. 1 to the Development Agreement and Plan of Development for Sierra Vista West as recommended by the Planning and Zoning Commission. Seconded by Councilwoman Greene-Young. Approved with four ayes and one noe. Councilwoman Murray voted against.

13. Consideration and possible action on a resolution approving Amendment No. 2 to the Development Agreement and Plan of Development for Sterling Lakes/Sierra Vista. Councilwoman Hargroder made an amended motion to approve Amendment No. 2 to the Development Agreement and Plan of Development for Sterling Lakes/Sierra Vista with the town center and townhomes which was the original amendment provided by Land Tejas to the Staff and Planning and Zoning Commission. Seconded by Councilman Wilsey. Approved unanimously.

Consent Agenda- Consideration and possible action to approve the following consent agenda items. Councilwoman Hargroder made a motion to approve the consent agenda items as presented. Seconded by Councilman Kennedy. Approved unanimously.

A. Approval of minutes of the following meetings.
   - December 20, 2021- Regular Meeting

B. Approval of the following plats as recommended by the Planning and Zoning Commission.
   - Fakir Estates Final Plat
   - Vega Estates Final Plat

C. Approve the following Infrastructure Approvals/Acceptances.
   - Approval of Sierra Vista West Section 5 Water, Sanitary, Drainage and Paving Facilities into the One -Year Maintenance Period.

D. Approve the following early plat releases and return of escrow funds.
   - Sierra Vista West Section 5 - Disbursement No. 5 and Final

E. Approval of the quarterly investment report.

EXECUTIVE SESSION- 8:01 P.M.
Executive Session in accordance with 551.071and 551.072 Texas Gov't Code to deliberate on the following:
   - Purchase of real property and financial matters related thereto

POST EXECUTIVE SESSION-8:31 P.M.
14. Consideration and possible action related to the purchase of real property. No action taken.

15. The meeting was adjourned by a unanimous vote at 8:31 P.M.

Copy

APPROVED THIS 28th DAY OF FEBRUARY, 2022.

ATTEST:

_____ _____

Kayleen Rosser, City Secretary Michael Byrum-Bratsen, Mayor

ALLEN BOONE HUMPHRIES ROBINSON LLP
ATTORNEYS AT LAW
PHOENIX TOWER
3200 SOUTHWEST FREEWAY
SUITE 2600
HOUSTON, TEXAS 77027
TEL (713) 860-6400
FAX (713) 860-6401
abhr.com

Direct Line: (713) 860-6412
Direct Fax: (713) 860-6612
taustin@abhr.com
Timothy Austin
Partner

January 5, 2022

Via First Class mail and email
Honorable Mayor and City Council
City of Iowa Colony
12003 County Road 65
Iowa Colony, Texas 77583
Attention: Robert Hemminger, City Manager

Copy

Re: Brazoria County Municipal Utility District No. 31; comments to proposed impact fees

Dear Mayor and Council:

The Board of Directors of Brazoria County Municipal Utility District No. 31 asked me to provide comments to you in connection with the proposed adoption of impact fees by the City of Iowa Colony. The Board understands that the City needs to provide for the funding of future improvements to the City's infrastructure as development within the City accelerates, and the following comments are provided solely to address issues that relate to MUD 31, as an operating MUD within the City's boundaries, facing financial and development issues unique to MUD 31. Reference is made to the draft Water and Wastewater Impact Fee Study prepared by ADICO Consulting Engineers that is the subject of the City's hearing we understand is set for January 10, 2022 (the "Study").

1. Exempt areas such as MUD 31 that are responsible for their own infrastructure. The proposed Study does not take into account existing areas of the City that are responsible for providing their own water and wastewater infrastructure. Particularly, MUD 31 has financed and constructed all of its water, wastewater and drainage infrastructure for development to date, and pursuant to an

agreement with the City is authorized and obligated to continue to do so for the remaining undeveloped land within its boundaries. Requiring future development in MUD 31 to pay impact fees, and to also provide for the improvements the impact fees are intended to finance would be duplicative and patently unfair.

2. MUD 31 taxpayers should not be required to fund impact fees as well as MUD 31 bonds paying for the same improvements. To carry the point made in Comment 1 further, it is important to consider the effect of MUD 31's bond financing requirements. MUD 31 has issued several series of bonds to pay for its water and wastewater capacity and other improvements to serve undeveloped areas that will be covered by the impact fees. Also, because the MUD 31 bonds are paid with property taxes levied evenly throughout the district, the residents of future sections in MUD 31 will be paying property taxes for existing improvements financed by MUD 31, and will also be subject to the impact fees, creating a double burden.

3. The MUD 31 utility agreement with the City requires the district to create permanent wastewater capacity in the future, which is not accounted for in the proposed Study. Upon reaching a certain threshold, MUD 31 is required by contract to replace existing wastewater capacity with a permanent concrete facility. Obviously, this will be a significant expense, and will take into account capacity required by new development within the district, along with capacity required for areas developed prior to the impact fee. Impact fees collected in MUD 31 for wastewater improvements should be contributed to the cost of such replacement capacity. Better yet, exempting MUD 31 from the impact fee program entirely (as recommended in Comment 1) will avoid this problem.

Copy

4. Certain capital improvements in the Study are redundant and are not necessary. Projecting an interconnect for water under Highway 288 adds costs that are not warranted by the usefulness of such facilities. The City system on both sides of 288 has multiple sources, such that the interconnect will not benefit users on either side of 288.

5. Provide for flexibility for unforeseen requirements of future development. The City has been very creative in negotiating utility agreements with MUDs and developers to ensure that the rest of the City will not be required to take on financial burdens or risk for infrastructure required for master planned development. Although the Study refers briefly to utility agreements, it should specifically allow for City Council to waive application of the impact fees to areas that have negotiated agreements that provide separately for water and

wastewater improvements. MUD 31 is a good example of this concept, and we are aware of other agreements that achieve the same purpose.

If you have any questions or comments, please let me know. Thanks very much.

Sincerely,

Timothy Austin
Attorney for the District

Copy

CITY OF IOWA COLONY

12003 Iowa Colony Blvd.
Iowa Colony Tx. 77583
Phone: 281-369-2471
Fax: 281 369 0005
www.iowacolonytx.gov

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 11th day of January, 2022, the City Council of the City of Iowa Colony, Texas, held a Public Meeting at 6:00 P.M. at Iowa Colony City Hall, there being present and in attendance the following members to wit:

Mayor Michael Byrum-Bratsen
Councilwoman Sydney Hargroder
Councilwoman Marquette Greene-Young
Councilman Wil Kennedy
Councilman Chad Wilsey

And Councilwoman Arnetta Murray being absent, constituting a quorum at which time the following business was transacted.

Copy

MEETING- 6:00 P.M.

1. Mayor Byrum-Bratsen called the meeting to order at 6:01 P.M.

2. Pledge of Allegiance and Texas Pledge were recited.

3. Citizens Comments. There were no public comments.

4. Consideration and possible action to approve an ordinance establishing and implementing impact fees. Councilwoman Hargroder made a motion to adopt an ordinance establishing and implementing impact fees on first and final reading. Seconded by Councilman Wilsey. After discussion and the caption of the ordinance was read aloud the vote was unanimous with five ayes.

5. The meeting was adjourned at 6:38 P.M.

APPROVED THIS 28th DAY OF FEBRUARY, 2022.

ATTEST:

_____ _____

Kayleen Rosser, City Secretary Michael Byrum-Bratsen, Mayor

ADICO
CONSULTING ENGINEERS

Wednesday, January 26, 2022

Brad Sweitzer
EHRA Inc.
10555 Westoffice Dr.
Houston, TX 77042

Re: Meridiana Section 55A Preliminary Plat
Letter of Recommendation to Approve
City of Iowa Colony Project No. 515
Adico, LLC Project No. 16007-2-229

Dear Mr. Sweitzer;

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the second submittal of Meridiana Section 55A preliminary plat, received on or about January 26, 2022. The review of the plat is based on the City of Iowa Colony Subdivision Ordinance No. 2019-09 dated August 2002, and as amended.

Based upon on our review, we have no objections to the preliminary plat as resubmitted on January 26, 2022. Please provide Kayleen Rosser, City Secretary, with ten (10) folded copies of the plat by no later than January 27th for consideration at the February 1, 2022 Planning and Zoning meeting.

Should you have any questions, please do not hesitate to call me.

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Copy

Cc: Kayleen Rosser, COIC
Robert Hemminger, COIC
File: 16007-2-229

APPROVED, ADICO, LLC, 01262022

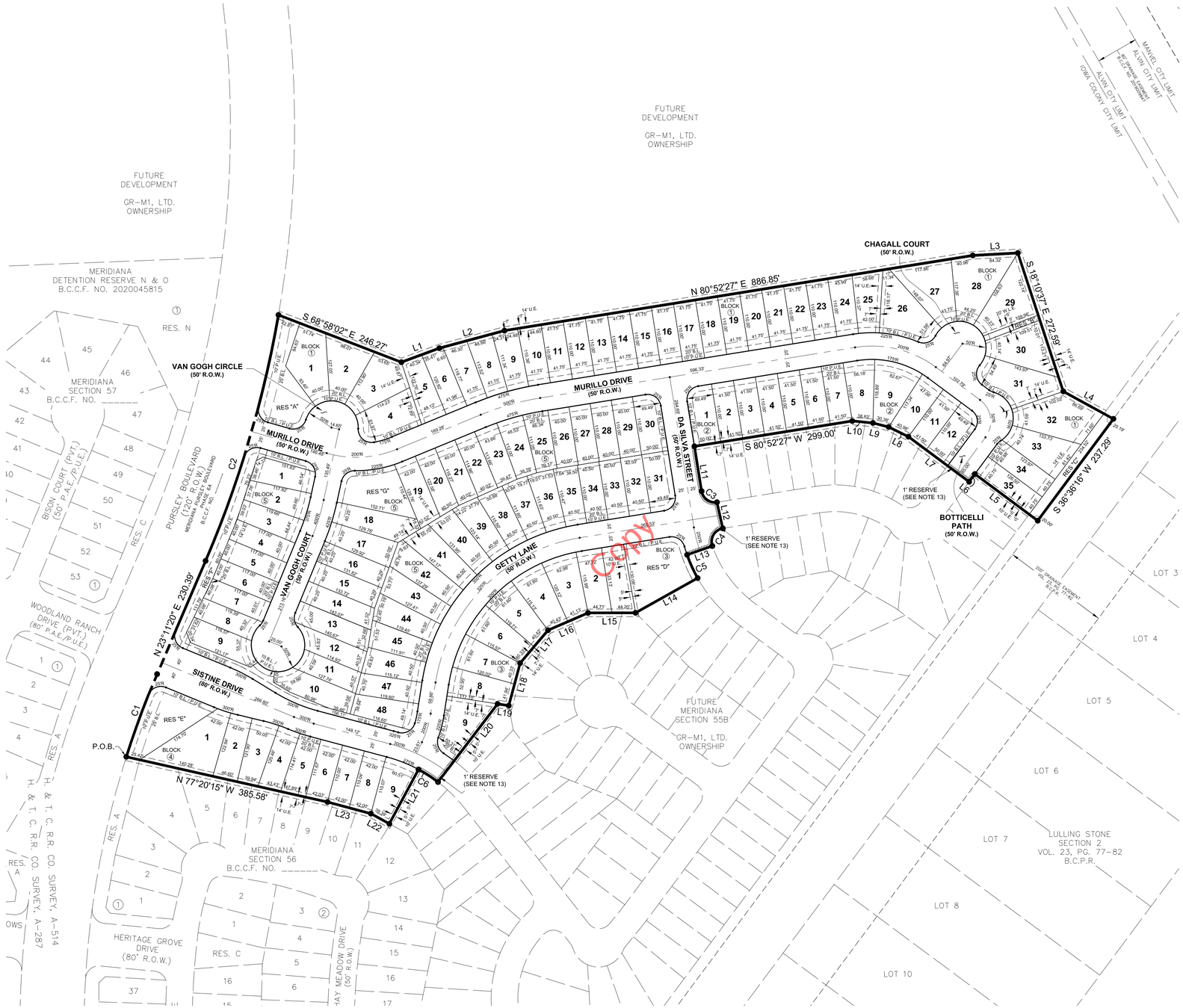
GENERAL NOTES:

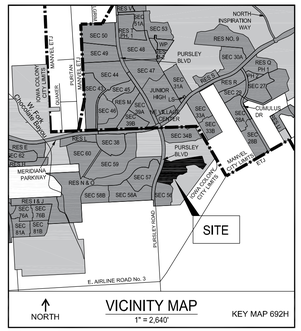
1. Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
2. The Coordinates shown hereon are Texas South Central Zone No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.99986742185.
3. According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No.48039C0110K, dated December 30, 2020, the property lies within Unshaded Zone X.

   This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA.
4. B.C.C.F. indicates Brazoria County Clerk's File.
   B.C.P.R. indicates Brazoria County Plat Records.
   B.L. indicates Building Line.
   D.E. indicates Drainage Easement.
   M.H. indicates Manhole.
   PG. indicates Page.
   P.A.E. indicates Permanent Access Easement.
   P.O.B. indicates Point of Beginning.
   P.U.E. indicates Public Utility Easement.
   PVT. indicates Private.
   R indicates Radius.
   RES. indicates Reserve
   R.O.W. indicates Right-Of-Way.
   S.S.E. indicates Sanitary Sewer Easement.
   STM.S.E. indicates Storm Sewer Easement.
   U.E. indicates Utility Easement.
   VOL. indicates Volume.
   W.L.E. indicates Water Line Easement.
   ⌇ indicates change in street name.
5. The property subdivided in the foregoing plat lies in Brazoria County, the City of Iowa Colony, Brazoria County M.U.D. No. 55, and Brazoria County Drainage District #5.
6. Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences buildings, plantings, and other obstructions.
7. The Developer/Homeowners' Association and Municipal Utility District shall be responsible for maintenance of all reserves.
8. Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
9. Preliminary; this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
10. The approval of the preliminary plat shall expire twelve (12) months after City Council approval unless the final plat has been submitted for final approval during that time. An extension of time may be given at the discretion of the City Council for a single extension period of six (6) months.
11. This plat is subject to the Development Agreement for Meridiana PUD Amendment Number 3.
12. Drainage plans to be provided prior to final plat submittal.
13. One foot reserve dedicated to the public in fee as a buffer separation between the side or ends of streets where such streets abut adjacent property, the condition of such dedication being that when the adjacent property is subdivided or re-subdivided in a record plat the one foot reserve shall hereupon become vested in the public for street right-of-way purposes and the fee title there shall revert to and revest in the dedicator, his heirs, assigns, or successors.
14. Owners do hereby certify that they are the owners of all property immediately adjacent to the boundaries of the above and foregoing subdivision of Meridiana Section 55A where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in sold adjacent acreage.
15. All front lot maintenance within this section shall be performed by the Homeowners Association per Meridiana PUD Amendment No. 3 as approved January 23, 2017.

RESERVE TABLE

RESERVE	RESTRICTIONS	SQ. FT	ACREAGE
A	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	11,748.53	0.27
B	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	1,108.49	0.03
C	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	4,718.09	0.11
D	LANDSCAPE, OPEN SPACE, RECREATION, & UTILITY PURPOSES	12,501.34	0.29
E	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	11,214.31	0.26
F	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	17,639.47	0.40
G	LANDSCAPE, OPEN SPACE, RECREATION, & UTILITY PURPOSES	9,296.94	0.21
	TOTAL	68,227.17	1.57





LINE TABLE

LINE	BEARING	DISTANCE
L1	N 69°42'36" E	75.75'
L2	N 74°53'59" E	126.14'
L3	N 86°55'19" E	84.32'
L4	S 61°16'59" E	106.88'
L5	N 53°23'46" W	146.50'
L6	S 36°36'20" W	17.98'
L7	N 53°23'44" W	141.50'
L8	N 63°54'13" W	40.98'
L9	N 75°39'52" W	30.38'
L10	N 84°22'53" W	38.83'
L11	S 09°07'33" E	85.00'
L12	S 12°43'13" E	50.10'
L13	S 70°42'23" W	50.00'
L14	S 60°44'40" W	132.90'
L15	S 89°54'21" W	88.91'
L16	S 66°33'28" W	81.56'
L17	S 40°16'18" W	80.75'
L18	S 14°52'17" W	82.27'
L19	N 81°06'23" W	117.10'
L20	S 37°17'10" W	183.72'
L21	S 28°13'18" W	115.29'
L22	N 61°07'16" W	39.39'
L23	N 75°01'00" W	84.00'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1,690.00'	165.09'	N 20°23'17" E	165.03'
C2	2,060.00'	480.92'	N 16°30'03" E	479.83'
C3	25.00'	39.27'	S 54°07'33" E	35.36'
C4	25.00'	43.71'	S 30°47'25" W	38.35'
C5	275.00'	47.81'	S 24°16'28" E	47.75'
C6	275.00'	43.51'	N 57°14'46" W	43.46'

BENCHMARK(S):

NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, 5-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.
ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT

OWNER CONTACT INFORMATION
GR-M1, LTD., A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, STE. 100
KATY, TX 77493
832-916-2162

0' 25' 50' 100'
SCALE: 1"=100'
NORTH

EHRA
ENGINEERING THE FUTURE SINCE 1936
10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.784.4500
WWW.EHRAINC.COM
TBPE No. F-726
TBPLS No. 10092300

No warranty or representation if directed use, design or proposed improvements are made herein. All Plan to be per current ordinances, rules, regulations.

EHRA JOB NO.
081-011-55-01

January 7, 2022

Meridiana Section 55A

A Subdivision of 20.43 acres out of the H.T. & B. R.R. Co. Survey, Section 54, A-512,
City of Iowa Colony, Brazoria County, Texas.
113 Lots, 5 Blocks and 7 Reserves
Owner: GR-M1, LTD., a Texas Limited Partnership

P:\081-011-55-01\PlatPrep\ATMeridiana Section 55A_PPlat.dwg Jan 26, 2022-1:09pm Edited by: amaggoner

ADICO
CONSULTING ENGINEERS

Friday, January 28, 2022

Travis Harrison, P.E.
Elevation Land Solutions
2445 Technology Forest Blvd., Suite 200
The Woodlands, TX 77381

Re: Sierra Vista West Section 8 Final Plat
Letter of Recommendation to Approve- REVISED from December 1, 2021
City of Iowa Colony Project No. 317
Adico, LLC Project No. 16007-2-222

Dear Mr. Harrison,

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the third submittal of Sierra Vista West Section 8 final plat package received on or about January 28, 2022.

This plat was previously approved by the Planning and Zoning Commission and City Council in December 2021. This revised approval reflects new ownership for this plat. We have reviewed the revised plat and have no objections to the plat as resubmitted on January 28, 2022.

Please provide two (2) mylars and ten (10) folded copies of the plat to Kayleen Rosser, City Secretary, by no later than Friday, January 28th for consideration at the February 1, 2022, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to contact our office.

Copy

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser, COIC
Robert Hemminger, COIC
File: 16007-2-222

APPROVED, ADICO, LLC, 01282022

FINAL PLAT NOTES:

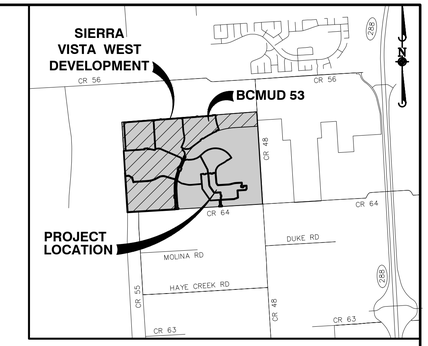
1. THE PRELIMINARY PLAT WAS APPROVED BY CITY OF IOWA COLONY ON 05/17/2021
2. SIERRA VISTA WEST SEC 9 FINAL PLAT MUST BE RECORDED PRIOR TO OR SIMULTANEOUSLY WITH THIS PLAT .
3. THIS PLAT LIES WITHIN THE BRAZORIA COUNTY M.U.D. NO. 53 BOUNDARY.
4. THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE OF 1.00013789.
5. BOUNDARY CLOSURE CALCULATIONS, THE MINIMUM OF WHICH SHALL BE 1:15,000
6. SURVEY MONUMENTS SHALL BE SET TO THE STANDARDS OF THE TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYING PRACTICES ACT AND THE GENERAL RULES OF PROCEDURES AND PRACTICES OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND SHALL BEAR REFERENCE CAPS AS INDICATED.
7. ALL INTERIOR MONUMENTS SHALL BE SET AFTER CONSTRUCTION OF UTILITIES AND PAVEMENT, AND AFTER LOTS ARE PROPERLY GRADED. LOT CORNERS WILL BE SET 5/8" IRON RODS WITH PLASTIC CAPS STAMPED "MANHARD PROPERTY CORNER".
8. BENCHMARK SHOWN HEREON ARE BASED ON TXDOT MONUMENT HV-79C, LOCATED IN THE MEDIAN OF S.H. 288 APPROXIMATELY 125 FEET +/- SOUTH OF C.R. 56 WITH A PUBLISHED ELEVATION OF 49.31 FEET, NAVD 88, 1991 ADJUSTMENT.
9. THIS TRACT OF LAND LIES WITHIN UNSHADED ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48039C0115K, DATED DECEMBER 30, 2020.
10. EACH LOT SHALL BE RESTRICTED TO A SINGLE-FAMILY RESIDENTIAL USE.
11. SINGLE FAMILY RESIDENTIAL SHALL MEAN THE USE OF A LOT WITH ONE BUILDING FOR AND CONTAINING NOT MORE THAN TWO SEPARATE UNITS WITH FACILITIES FOR LIVING, SLEEPING, COOKING AND EATING THEREIN. A LOT UPON WHICH IS LOCATED A FREE-STANDING BUILDING CONTAINING ONE DWELLING UNIT AND A DETACHED SECONDARY DWELLING UNIT OF NOT MORE THAN 900 SQ. FT. ALSO SHALL BE CONSIDERED SINGLE FAMILY RESIDENTIAL. A BUILDING THAT CONTAINS ONE DWELLING UNIT ON ONE LOT THAT IS CONNECTED BY A PARTY WALL TO ANOTHER BUILDING CONTAINING ONE DWELLING UNIT ON AN ADJACENT LOT SHALL BE SINGLE FAMILY RESIDENTIAL.
12. ALL BUILDING LINES (BL) ALONG THE RIGHT-OF-WAY ARE AS SHOWN HEREON.
13. ALL EASEMENT ARE CENTERED ON LOT LINES UNLESS SHOWN OTHERWISE.
14. ALL OFF-SITE UTILITY EASEMENTS TO BE DEDICATED BY SEPARATE INSTRUMENT PRIOR TO RECORDATION.
15. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY THE PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
16. THERE ARE NO PIPELINES OR PIPELINE EASEMENTS THROUGH THIS SUBDIVISION.
17. ALL DRAINAGE EASEMENTS SHOWN HEREON SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, FOUNDATIONS, PLANTINGS AND OTHER OBSTRUCTIONS FOR THE OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES.
18. SLAB ELEVATIONS (FINISHED FLOOR) SHALL BE SET AT OR ABOVE THE MINIMUM SLAB ELEVATIONS DEFINED.
19. ALL PROPERTY SHALL DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
20. ALL STORM WATER DRAINAGE PIPES, CULVERTS, OR OTHER (INCLUDES DRIVEWAY CULVERTS) WILL BE A MINIMUM 24" I.D. OR EQUIVALENT.
21. ALL STORM SEWERS WILL BE MAINTAINED BY BRAZORIA COUNTY M.U.D. NO. 53.
22. THIS SUBDIVISION EMPLOYS A DRAINAGE SYSTEM, WHICH UTILIZES STREETS AND ADJACENT PROPERTIES WITHIN THE SUBDIVISION PLAT BOUNDARY TO STORE AND CONVEY STORM WATER. THUS, DURING STORM EVENTS, PONDING OF WATER SHOULD BE EXPECTED TO OCCUR IN THE SUBDIVISION.
23. NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.
24. ALL LOTS SHALL HAVE ADEQUATE WASTEWATER FACILITIES.
25. ALL WATER AND WASTEWATER FACILITIES SHALL CONFORM TO THE CITY OF IOWA COLONY'S ENGINEERING DESIGN CRITERIA MANUAL.
26. EACH LOT SHALL PROVIDE A MINIMUM OF TWO OFF-STREET PARKING SPACES PER DWELLING UNIT ON EACH LOT. IN THOSE INSTANCES WHERE A SECONDARY UNIT IS PROVIDED ONLY ONE ADDITIONAL SPACE SHALL BE PROVIDED.
27. SIDEWALKS MUST BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH LOT.
28. A MINIMUM OF 5 FOOT WIDE SIDEWALKS SHALL BE REQUIRED ALONG STREETS AND SHALL CONFORM TO THE CITY OF IOWA COLONY'S ENGINEERING DESIGN CRITERIA MANUAL.
29. ALL STREETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF IOWA COLONY'S ENGINEERING DESIGN CRITERIA MANUAL.
30. OWNER WILL PROVIDE STREET NAME SIGNS AND TRAFFIC CONTROL DEVICES IN ACCORDANCE WITH THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
31. FINAL PLAT WILL EXPIRE TWO (2) YEARS AFTER FINAL APPROVAL BY COUNCIL, IF CONSTRUCTION OF THE IMPROVEMENTS HAS NOT COMMENCED WITHIN THE TWO-YEAR INITIAL PERIOD OR THE ONE-YEAR EXTENSION PERIOD GRANTED BY COUNCIL.
32. THE PLAT IS SUBJECT TO THE REQUIREMENTS OF SIERRA VISTA DEVELOPMENT AGREEMENT BETWEEN THE CITY OF IOWA COLONY AND LAND TEJAS SIERRA VISTA WEST, LLC.
33. THIS SUBDIVISION CONTAINS ONE OR MORE PERMANENT ACCESS EASEMENTS THAT HAVE NOT BEEN DEDICATED TO THE PUBLIC OR ACCEPTED BY THE CITY OF IOWA COLONY OR ANY OTHER LOCAL GOVERNMENT AGENCY AS PUBLIC RIGHTS-OF-WAY. THE CITY OF IOWA COLONY HAS NO OBLIGATION, NOR DOES ANY OTHER LOCAL GOVERNMENT AGENCY HAVE ANY OBLIGATION, TO MAINTAIN OR IMPROVE ANY PERMANENT ACCESS EASEMENT WITHIN THE SUBDIVISION, WHICH OBLIGATION SHALL BE THE SOLE RESPONSIBILITY OF THE OWNERS OF PROPERTY IN THIS SUBDIVISION.

Reserve Area Table

Reserve Letter	Area (Sq Ft)	Area (Ac)	Usage
A	2,506.71	0.0575	RESTRICTED TO LANDSCAPE, OPEN SPACE AND UTILITIES
B	4,185.10	0.0961	RESTRICTED TO LANDSCAPE, OPEN SPACE AND UTILITIES
TOTAL	6,691.81	0.1536	

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C1	25.00'	39.27'	090°00'00"	S49°05'20"E	35.36'
C2	25.00'	39.27'	090°00'00"	N40°54'40"E	35.36'
C3	420.00'	65.06'	008°52'30"	S89°39'05"E	64.99'
C4	25.00'	39.28'	090°01'12"	S42°23'53"W	35.36'
C5	25.00'	17.17'	039°20'45"	S72°55'08"E	16.83'
C6	50.00'	125.30'	143°35'15"	N54°57'37"E	94.99'
C7	25.00'	39.27'	090°00'00"	N42°23'17"E	35.36'
C8	25.00'	39.27'	090°00'00"	N47°36'43"W	35.36'
C9	300.00'	157.62'	030°06'14"	S19°08'27"E	155.82'
C10	75.00'	76.47'	058°25'08"	S63°24'09"E	73.20'
C11	500.00'	93.06'	010°39'52"	N82°03'21"E	92.93'
C12	400.00'	74.59'	010°41'04"	N82°03'58"E	74.48'
C13	300.00'	55.16'	010°32'02"	S08°00'33"E	55.08'
C14	55.00'	77.90'	081°09'19"	S37°50'08"W	71.55'
C15	1300.00'	203.64'	008°58'31"	S82°54'02"W	203.43'
C16	45.00'	45.88'	058°25'08"	S63°24'09"E	43.92'
C17	25.00'	18.59'	042°35'41"	S12°53'44"E	18.16'
C18	50.00'	113.67'	130°15'39"	S56°43'44"E	90.73'
C19	25.00'	12.76'	029°14'51"	N72°45'52"E	12.62'
C20	25.00'	39.27'	090°00'00"	S47°36'43"E	35.36'
C21	25.00'	39.27'	090°00'00"	N42°23'17"E	35.36'
C22	25.00'	39.27'	090°00'00"	S58°16'34"E	35.36'
C23	25.00'	39.27'	090°00'00"	N31°43'26"E	35.36'
C24	25.00'	35.41'	081°09'19"	S37°50'07"W	32.52'
C25	25.00'	18.03'	041°18'55"	S23°23'59"E	17.64'
C26	50.00'	161.13'	184°38'15"	S48°15'40"W	99.92'
C27	25.00'	26.69'	061°10'02"	N70°00'13"W	25.44'
C28	270.00'	38.96'	008°16'02"	S08°13'21"E	38.92'
C29	330.00'	20.96'	003°38'22"	S05°54'31"E	20.96'
C30	530.00'	27.62'	002°59'09"	N85°53'43"E	27.62'
C31	530.00'	13.77'	001°29'20"	N77°28'06"E	13.77'
C32	1330.00'	30.21'	001°18'05"	N81°23'09"E	30.21'
C33	370.00'	28.12'	004°21'18"	S85°13'50"W	28.12'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N85°54'40"E	100.00'
L2	N85°54'40"E	60.00'
L3	N85°54'40"E	35.20'
L4	S24°08'02"E	51.47'
L5	S34°11'34"E	62.05'
L6	N82°27'19"E	55.52'
L7	N76°43'26"E	183.81'
L8	N82°56'17"E	73.26'
L9	S02°36'43"E	99.99'
L10	S87°24'30"W	11.06'
L11	S02°35'30"E	60.00'
L12	N87°24'30"E	15.53'
L13	N87°23'17"E	116.53'
L14	S02°36'43"E	127.34'
L15	S34°53'17"W	63.01'
L16	S70°59'35"W	174.71'
L17	N02°36'43"W	107.00'
L18	N02°36'43"W	60.00'
L19	N02°36'43"W	100.00'
L20	N57°42'11"W	27.83'
L21	N19°32'32"W	51.21'
L22	S34°11'34"E	102.96'
L23	S34°04'33"W	5.51'
L24	N76°43'26"E	156.31'
L25	N87°24'30"E	206.43'
L26	S13°16'34"E	113.07'
L27	S02°44'32"E	98.26'
L28	S41°18'09"E	31.10'
L29	S87°23'17"W	290.96'
L30	S02°36'43"E	155.00'
L31	S04°05'20"E	37.47'
L32	N19°32'32"W	40.43'
L33	N34°11'34"W	38.23'
L34	N87°23'17"E	34.80'
L35	N02°36'43"W	131.49'
L36	S87°23'17"W	30.04'
L37	N02°36'43"W	137.80'
L38	N02°36'43"W	140.96'
L39	S87°23'17"W	29.96'
L40	S02°44'32"E	30.43'
L41	N84°21'16"E	132.60'
L42	N87°24'30"E	39.10'



VICINITY MAP
BRAZORIA COUNTY KEY MAP: 692 J & N
SCALE: 1" = 2,640'

N

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

ABBREVIATIONS

AE=	AERIAL EASEMENT
DE=	DRAINAGE EASEMENT
PAE=	PRIVATE ACCESS EASEMENT
PUE=	PUBLIC UTILITY EASEMENT
SSE=	SANITARY SEWER EASEMENT
STM SE=	STORM SEWER EASEMENT
UVE=	UNOBSTRUCTED VISIBILITY EASEMENT
UE=	UTILITY EASEMENT
WLE=	WATER LINE EASEMENT
BL=	BUILDING LINE
ROW=	RIGHT-OF-WAY
BCCF=	BRAZORIA COUNTY CLERK'S FILE
BCDR=	BRAZORIA COUNTY DEED RECORDS
BCPR=	BRAZORIA COUNTY PLAT RECORDS
BCOPR=	BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
BCOPRRP=	BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
VOL. _, PG._=	VOLUME, PAGE
No.=	NUMBER
FND=	FOUND
IRC=	IRON ROD W/ CAP
"S"=	SET
	STREET NAME CHANGE

FINAL PLAT
SIERRA VISTA WEST SEC 8

A SUBDIVISION OF 18.91 ACRES OF LAND
OUT OF THE
LAVACA NAVIGATION COMPANY SURVEY, A-329

BRAZORIA COUNTY, TEXAS

78 LOTS 2 RESERVES 4 BLOCKS

JANUARY 2022

OWNER/ DEVELOPER: ASTRO SIERRA VISTA, L.P.
A DELAWARE LIMITED PARTNERSHIP
C/O STARWOOD LAND ADVISORS
6310 CAPITAL DRIVE, SUITE 130
LAKEWOOD RANCH, FLORIDA 34202

ENGINEER/ SURVEYOR: ELEVATION land solutions
TBPE REGISTRATION NUMBER F-22671
2445 TECHNOLOGY FOREST BLVD, SUITE 200
THE WOODLANDS, TX 77381 832-823-2200
TBPS REGISTRATION NUMBER 10194692

APPROVED, ADICO, LLC, 01282022

STATE OF TEXAS §

COUNTY OF BRAZORIA §

A METES & BOUNDS description of a certain 18.91 acre (823,859 square feet) tract of land situated in the Lavaca Navigation Company Survey, Abstract No. 329, in Brazoria County, Texas, being a portion of the remainder of a called 501.92 acre tract conveyed to McAlister Opportunity Fund III, L.P. by deed recorded in Clerk's File No. 2017063409, Brazoria County Official Public Records; said 18.91 acre (823,859 square feet) tract of land being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83;

COMMENCING at a 5/8–inch iron rod found, being the southeast corner of said called 501.92 acre tract, being on the north right–of–way of County Road No. 64 (based on a width of 40–feet) recorded in Volume 2, Page 113, Brazoria County Plat Records, and Volume 3, Page 66, Brazoria County Plat Records, and being on the west right–of–way of County Road No. 48 (based on a width of 40–feet) recorded in Volume 2, Page 113, Brazoria County Plat Records, and Volume 3, Page 66, Brazoria County Plat Records;

THENCE, North 37°41'56" West, 1,029.66 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the easterly northeast corner, and POINT OF BEGINNING of the herein described tract;

THENCE, South 02°36'43" East, 127.34 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, from which a 5/8–inch iron rod (with cap) found bears South 02°36'43" East, 50.00 feet;

THENCE, South 34°53'17" West, 63.01 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 87°24'30" West, 351.23 feet to a 5/8–inch iron rod (with cap) found;

THENCE, South 02°44'32" East, 305.14 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, from which a 5/8–inch iron rod (with cap) found bears South 02°44'32" East, 49.31 feet;

THENCE, South 70°59'35" West, 174.71 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 87°23'17" West, 560.00 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being on the east line of a called 29.45 acre tract (Sierra Vista West Section 7) conveyed to Land Tejas Sierra Vista West, LLC, a Texas limited liability company, by deed recorded in Clerk File's No. 2021057930, Brazoria County Official Public Records;

THENCE, along the east line of said called 29.45 acre tract, the following sixteen (16) courses and distances;

1. North 02°36'43" West, 107.00 feet to a 5/8–inch iron rod (with cap) found, being the beginning of a curve to the right;
2. Along said curve to the right in a northeasterly direction, with a radius of 25.00 feet, a central angle of 90°00'00", an arc length of 39.27 feet, and a chord bearing North 42°23'17" East, 35.36 feet to a 5/8–inch iron rod (with cap) found;
3. North 02°36'43" West, 60.00 feet to a 5/8–inch iron rod (with cap) found, being the beginning of a curve to the right;
4. Along said curve to the right in a northwesterly direction, with a radius of 25.00 feet, a central angle of 90°00'00", an arc length of 39.27 feet, and a chord bearing North 47°36'43" West, 35.36 feet to a 5/8–inch iron rod (with cap) found;
5. North 02°36'43" West, 100.00 feet to a 5/8–inch iron rod (with cap) found;
6. South 87°23'17" West, 254.00 feet to a 5/8–inch iron rod (with cap) found;
7. North 57°42'11" West, 27.83 feet to a 5/8–inch iron rod (with cap) found;
8. North 34°11'34" West, 308.01 feet to a 5/8–inch iron rod (with cap) found;
9. North 19°32'32" West, 51.21 feet to a 5/8–inch iron rod (with cap) found;
10. North 04°05'20" West, 504.00 feet to a 5/8–inch iron rod (with cap) found;
11. North 85°54'40" East, 100.00 feet to a 5/8–inch iron rod (with cap) found, being the beginning of a curve to the right;
12. Along said curve to the right in a southeasterly direction, with a radius of 25.00 feet, a central angle of 90°00'00", an arc length of 39.27 feet, and a chord bearing South 49°05'20" East, 35.36 feet to a 5/8–inch iron rod (with cap) found;
13. North 85°54'40" East, 60.00 feet to a 5/8–inch iron rod (with cap) found, being the beginning of a curve to the right;
14. Along said curve to the right in a northeasterly direction, with a radius of 25.00 feet, a central angle of 90°00'00", an arc length of 39.27 feet, and a chord bearing North 40°54'40" East, 35.36 feet to a 5/8–inch iron rod (with cap) found;
15. North 85°54'40" East, 35.20 feet to a 5/8–inch iron rod (with cap) found, being the beginning of a curve to the right;
16. Along said curve to the right in an easterly direction, with a radius of 420.00 feet, a central angle of 08°52'30", an arc length of 65.06 feet, and a chord bearing South 89°39'05" East, 64.99 feet to a 5/8–inch iron rod (with cap) found, being a west corner of (proposed) Sierra Vista West Sec 9;

THENCE, along the west and south lines of said (proposed) Sierra Vista West Sec 9, the following sixteen (16) courses and distances;

1. South 04°05'20" East, 423.51 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
2. South 24°08'02" East, 51.47 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
3. South 34°11'34" East, 62.05 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
4. North 87°23'17" East, 457.64 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
5. North 82°27'19" East, 55.52 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
6. North 76°43'26" East, 183.81 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
7. North 82°56'17" East, 73.26 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
8. North 87°24'30" East, 251.58 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
9. South 02°36'43" East, 99.99 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the beginning of a curve to the right;
10. Along said curve to the right in a southwesterly direction, with a radius of 25.00 feet, a central angle of 90°01'12", an arc length of 39.28 feet, and a chord bearing South 42°23'53" West, 35.36 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
11. South 87°24'30" West, 11.06 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
12. South 02°35'30" East, 60.00 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
13. North 87°24'30" East, 15.53 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the beginning of a curve to the right;
14. Along said curve to the right in an easterly direction, with a radius of 25.00 feet, a central angle of 39°20'45", an arc length of 17.17 feet, and a chord bearing South 72°55'08" East, 16.83 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the beginning of a reverse curve to the left;
15. Along said reverse curve to the left in a northeasterly direction, with a radius of 50.00 feet, a central angle of 143°35'15", an arc length of 125.30 feet, and a chord bearing North 54°57'37" East, 94.99 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
16. North 87°23'17" East, 116.53 feet to the POINT OF BEGINNING, CONTAINING 18.91 acres (823,859 square feet) of land in Brazoria County, Texas, filed in the offices of Elevation Land Solutions in The Woodlands, Texas.

STATE OF TEXAS §

COUNTY OF BRAZORIA §

We, ASTRO SIERRA VISTA, L.P., A Delaware Limited Partnership, acting by and through Melanie Ohl, Authorized Person, being an officer of ASTRO SIERRA VISTA GP, LLC, a Delaware limited liability company, its General Partner, owners of the property subdivided in this plat (hereinafter referred to as "Owner") of the 18.91 Acre tract described in the above and foregoing map of SIERRA VISTA WEST SEC 8, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back–to–back ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back–to–back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back–to–back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

FURTHER, owners do hereby certify that we are the owners of all property immediately adjacent to the boundaries of the above and foregoing subdivision of Sierra Vista West Sec 8 where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley, or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15'–0") wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Iowa Colony, Fort Bend County, or any other governmental agency, the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the ASTRO SIERRA VISTA, L.P., a Delaware limited partnership, has caused these presents to be signed by Melanie Ohl, Authorized Person, being an officer of ASTRO SIERRA VISTA GP, LLC, a Delaware limited liability company, its General Partner, thereunto authorized this _____ day of _____, 20__.

ASTRO SIERRA VISTA, L.P.,
A Delaware limited partnership

By: ASTRO SIERRA VISTA GP, LLC,
a Delaware limited liability company,
its General Partner

By: _____
Melanie Ohl
Authorized Person

Copy

This plat is hereby APPROVED by the City of Iowa Colony City Council, this _____ day of _____, 20___

_____
Michael Byrum–Brasten
Mayor

_____
Sydney Hargroder

_____
Arnetta Hicks–Murray

_____
Marquette Greene–Young

_____
Wil Kennedy

_____
Chad Wilsey
Mayor Pro–Tem

This plat is hereby APPROVED by the City of Iowa Colony Planning and Zoning Commission, this _____ day of _____, 20___

_____
David Hurst
Chairman

_____
Steven Byrum–Bratsen

_____
Les Hosey

_____
Brian Johnson

_____
McLean Barnett

_____
Melanie Hampton

_____
Tim Varlack

STATE OF TEXAS §

COUNTY OF BRAZORIA §

Before me, the undersigned authority, on this day personally appeared Melanie Ohl, Authorized Person, being an officer of ASTRO SIERRA VISTA GP, LLC, a Delaware limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this
_____ Day of _____, 20__

_____
Notary Public in and for the State of Texas

My Commission expires _____

I, Paul R. Bretherton, am authorized (or registered) under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.

_____
Paul R. Bretherton
Texas Registration No. 5977

This plat is hereby APPROVED by the City of Iowa Colony City Engineer, this
_____ day of _____, 20__

_____
Dinh V. Ho, P.E.

FINAL PLAT

SIERRA VISTA WEST SEC 8

A SUBDIVISION OF 18.91 ACRES OF LAND
OUT OF THE
LAVACA NAVIGATION COMPANY SURVEY, A-329

BRAZORIA COUNTY, TEXAS

78 LOTS 2 RESERVES 4 BLOCKS

JANUARY 2022

OWNER/ DEVELOPER:
ASTRO SIERRA VISTA, L.P.
A DELAWARE LIMITED PARTNERSHIP
C/O STARWOOD LAND ADVISORS
6310 CAPITAL DRIVE, SUITE 130
LAKEWOOD RANCH, FLORIDA 34202

ENGINEER/ SURVEYOR:
ELEVATION land solutions
TBPE REGISTRATION NUMBER F-22671
2445 TECHNOLOGY FOREST BLVD, SUITE 200
THE WOODLANDS, TX 77381 832-823-2200
TBPS REGISTRATION NUMBER 10194692

ADICO
CONSULTING ENGINEERS

Friday, January 28, 2022

Travis Harrison, P.E.
Elevation Land Solutions
2445 Technology Forest Blvd., Suite 200
The Woodlands, TX 77381

Re: Sierra Vista West Section 9 Final Plat
Letter of Recommendation to Approve- REVISED from December 1, 2021
City of Iowa Colony Project No. 316
Adico, LLC Project No. 16007-2-223

Dear Mr. Harrison,

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the third submittal of Sierra Vista West Section 9 final plat package received on or about January 28, 2022.

This plat was previously approved by the Planning and Zoning Commission and City Council in December 2021. This revised approval reflects new ownership for this plat. We have reviewed the revised plat and have no objections to the plat as resubmitted on January 28, 2022.

Please provide two (2) mylars and ten (10) folded copies of the plat to Kayleen Rosser, City Secretary, by no later than Friday, January 28th for consideration at the February 1, 2022, Planning and Zoning meeting.

Copy

Sincerely,
Adico, LLC

Dinh Ho, P.E.

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser, COIC
Robert Hemminger, COIC
File: 16007-2-223

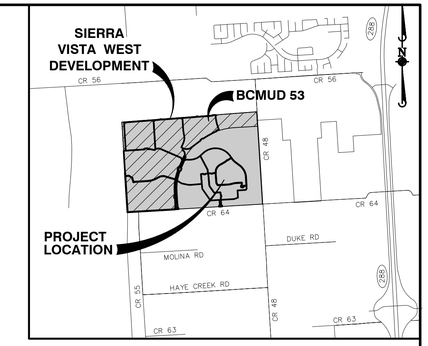
APPROVED, ADICO, LLC, 01282022

LINE TABLE		
LINE	BEARING	LENGTH
L1	S32°20'18"E	56.67'
L2	S37°36'17"E	58.78'
L3	S42°20'49"E	56.70'
L4	S47°26'26"E	56.70'
L5	S51°54'55"E	58.35'
L6	S52°32'03"E	180.00'
L7	S50°25'51"E	69.32'
L8	S44°24'52"E	71.48'
L9	S38°13'29"E	71.48'
L10	S32°02'06"E	71.48'
L11	S25°50'44"E	71.48'
L12	S19°39'21"E	71.48'
L13	S13°27'59"E	71.48'
L14	S07°16'36"E	71.48'
L15	S02°50'18"E	62.93'
L16	S87°23'17"W	116.53'
L17	S87°24'30"W	15.53'
L18	N02°35'30"W	60.00'
L19	N87°24'30"E	11.06'
L20	N02°36'43"W	99.99'
L21	S82°56'17"W	73.26'
L22	S76°43'26"W	183.81'
L23	S82°27'19"W	55.52'
L24	N34°11'34"W	62.05'
L25	N24°08'02"W	51.47'
L26	N05°19'38"E	123.81'
L27	N21°36'41"E	54.35'
L28	N32°00'19"E	53.78'
L29	N31°57'53"E	53.76'
L30	N48°31'26"E	53.79'
L31	N52°04'31"E	53.85'
L32	N61°37'48"E	56.85'
L33	N61°52'48"E	196.65'
L34	N52°12'32"E	141.46'
L35	S32°21'18"E	13.76'
L36	N57°38'42"E	192.02'
L37	N32°21'18"W	32.54'
L38	N52°32'03"W	221.29'
L39	N47°36'07"W	18.55'
L40	N87°24'30"E	11.06'

LINE TABLE		
LINE	BEARING	LENGTH
L41	N37°27'57"E	111.00'
L42	N70°05'08"E	119.56'
L43	N19°54'52"W	4.96'
L44	N87°24'30"E	292.04'
L45	N76°43'26"E	147.01'
L46	N87°23'17"E	270.60'
L47	N39°06'42"E	12.36'
L48	N04°05'20"W	257.74'
L49	N70°05'08"E	110.00'
L50	N48°43'09"E	106.40'
L51	S82°32'24"E	138.58'
L52	S32°21'18"E	32.54'
L53	S52°32'03"E	30.00'
L54	S52°32'03"E	25.00'
L55	S52°32'03"E	25.00'
L56	N37°27'57"E	132.00'
L57	N37°27'57"E	132.00'
L58	S02°36'43"E	24.73'
L59	N04°05'20"W	28.41'
L60	S76°43'26"W	30.40'
L61	N48°31'26"E	34.96'
L62	N61°52'48"E	25.72'
L63	N70°05'08"E	37.91'
L64	S52°32'00"E	68.62'
L65	S43°18'11"E	109.89'
L66	N27°03'28"W	55.09'
L67	N25°28'43"W	55.52'
L68	S02°35'30"E	123.26'
L69	N83°58'02"E	114.19'
L70	N22°05'40"E	56.14'
L71	N44°02'39"E	64.34'
L72	N63°29'14"E	52.06'
L73	N70°05'08"E	120.25'
L74	N62°40'26"E	54.50'
L75	N58°00'34"E	53.16'
L76	N58°00'34"E	29.34'
L77	N58°00'34"E	23.83'
L78	N48°43'09"E	127.01'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C1	50.00'	125.30'	143°35'15"	S54°57'37"W	94.99'
C2	25.00'	17.17'	039°20'45"	N72°55'08"W	16.83'
C3	25.00'	39.28'	090°01'12"	N42°23'53"E	35.36'
C4	420.00'	3.97'	000°32'28"	S84°56'36"E	3.97'
C5	800.00'	281.75'	020°10'45"	S42°26'41"E	280.30'
C6	500.00'	435.65'	049°55'21"	S27°34'23"E	422.00'
C7	55.00'	86.41'	090°01'12"	S42°23'53"W	77.80'
C8	400.00'	227.73'	032°37'11"	N53°46'32"E	224.67'
C9	500.00'	93.24'	010°41'04"	S82°03'58"W	93.10'
C10	500.00'	93.06'	010°39'52"	S82°03'21"W	92.93'
C11	55.00'	84.98'	088°31'22"	N48°21'02"W	76.77'
C12	300.00'	388.38'	074°10'28"	N32°59'54"E	361.82'
C13	300.00'	111.87'	021°21'59"	N59°24'08"E	111.23'
C14	450.00'	16.75'	002°07'58"	S83°36'23"E	16.75'
C15	25.00'	37.66'	086°18'42"	N05°33'48"E	34.20'
C16	25.00'	37.66'	086°18'42"	N88°07'30"W	34.20'
C17	25.00'	39.27'	090°00'00"	N07°32'03"W	35.36'
C18	25.00'	39.27'	090°00'00"	S82°27'57"W	35.36'
C19	25.00'	39.28'	090°01'12"	N42°23'53"E	35.36'
C20	25.00'	39.26'	089°58'48"	N47°36'07"W	35.35'
C21	25.00'	17.17'	039°20'45"	S22°17'05"E	16.83'
C22	50.00'	147.23'	168°42'42"	N42°23'53"E	99.52'
C23	25.00'	16.11'	036°55'33"	N88°32'55"E	15.83'
C24	25.00'	21.01'	048°08'41"	S46°00'48"W	20.39'
C25	50.00'	231.32'	265°04'14"	S25°31'26"E	73.69'
C26	25.00'	38.63'	088°31'22"	S48°21'02"E	34.90'
C27	25.00'	16.24'	037°13'13"	S68°46'41"W	15.96'
C28	50.00'	137.30'	157°19'53"	S51°09'59"E	98.05'
C29	25.00'	13.78'	031°35'18"	N11°42'19"E	13.61'
C30	25.00'	35.38'	081°05'14"	N41°59'47"W	32.50'
C31	25.00'	35.38'	081°05'14"	N56°54'59"E	32.50'
C32	770.00'	31.60'	002°21'05"	S33°31'51"E	31.60'
C33	770.00'	34.23'	002°32'49"	S51°15'39"E	34.23'
C34	530.00'	28.28'	003°03'28"	N78°15'10"E	28.28'
C35	270.00'	34.08'	007°13'55"	N66°28'11"E	34.06'
C36	50.00'	21.92'	025°07'27"	N29°23'44"W	21.75'

Reserve Area Table			
Reserve Letter	Area (Sq Ft)	Area (Ac)	Usage
A	3,300.00	0.0758	RESTRICTED TO LANDSCAPE, OPEN SPACE AND UTILITIES



VICINITY MAP
BRAZORIA COUNTY KEY MAP: 692 J & N
SCALE: 1" = 2,640'

N

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

ABBREVIATIONS

AE=	AERIAL EASEMENT
DE=	DRAINAGE EASEMENT
PAE=	PRIVATE ACCESS EASEMENT
PUE=	PUBLIC UTILITY EASEMENT
SSE=	SANITARY SEWER EASEMENT
STM SE=	STORM SEWER EASEMENT
UVE=	UNOBSTRUCTED VISIBILITY EASEMENT
UE=	UTILITY EASEMENT
WLE=	WATER LINE EASEMENT
BL=	BUILDING LINE
ROW=	RIGHT-OF-WAY
BCCF=	BRAZORIA COUNTY CLERK'S FILE
BCDR=	BRAZORIA COUNTY DEED RECORDS
BCPR=	BRAZORIA COUNTY PLAT RECORDS
BCOPR=	BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
BCOPRRP=	BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
VOL _, PG_=	VOLUME, PAGE
No.=	NUMBER
FND=	FOUND
IRC=	IRON ROD W/ CAP
o	5/8" IRON ROD WITH CAP TO BE SET
	STREET NAME CHASE

FINAL PLAT NOTES:

1. THE PRELIMINARY PLAT WAS APPROVED BY CITY OF IOWA COLONY ON 05/17/2021
2. THIS PLAT LIES WITHIN THE BRAZORIA COUNTY M.U.D. NO. 53 BOUNDARY.
3. THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE OF 1.00013789.
4. BOUNDARY CLOSURE CALCULATIONS, THE MINIMUM OF WHICH SHALL BE 1:15,000
5. SURVEY MONUMENTS SHALL BE SET TO THE STANDARDS OF THE TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYING PRACTICES ACT AND THE GENERAL RULES OF PROCEDURES AND PRACTICES OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND SHALL BEAR REFERENCE CAPS AS INDICATED.
6. ALL INTERIOR MONUMENTS SHALL BE SET AFTER CONSTRUCTION OF UTILITIES AND PAVEMENT, AND AFTER LOTS ARE PROPERLY GRADED. LOT CORNERS WILL BE SET 5/8" IRON RODS WITH PLASTIC CAPS STAMPED "MANHARD PROPERTY CORNER".
7. BENCHMARK SHOWN HEREON ARE BASED ON TXDOT MONUMENT HV-79C, LOCATED IN THE MEDIAN OF S.H. 288 APPROXIMATELY 125 FEET +/- SOUTH OF C.R. 56 WITH A PUBLISHED ELEVATION OF 49.31 FEET, NAVD 88, 1991 ADJUSTMENT.
8. THIS TRACT OF LAND LIES WITHIN UNSHADED ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48039C0115K, DATED DECEMBER 30, 2020.
9. EACH LOT SHALL BE RESTRICTED TO A SINGLE-FAMILY RESIDENTIAL USE.
10. SINGLE FAMILY RESIDENTIAL SHALL MEAN THE USE OF A LOT WITH ONE BUILDING FOR AND CONTAINING NOT MORE THAN TWO SEPARATE UNITS WITH FACILITIES FOR LIVING, SLEEPING, COOKING AND EATING THEREIN. A LOT UPON WHICH IS LOCATED A FREE-STANDING BUILDING CONTAINING ONE DWELLING UNIT AND A DETACHED SECONDARY DWELLING UNIT OF NOT MORE THAN 900 SQ. FT. ALSO SHALL BE CONSIDERED SINGLE FAMILY RESIDENTIAL. A BUILDING THAT CONTAINS ONE DWELLING UNIT ON ONE LOT THAT IS CONNECTED BY A PARTY WALL TO ANOTHER BUILDING CONTAINING ONE DWELLING UNIT ON AN ADJACENT LOT SHALL BE SINGLE FAMILY RESIDENTIAL.
11. ALL BUILDING LINES (BL) ALONG THE RIGHT-OF-WAY ARE AS SHOWN HEREON.
12. ONE FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR ENDS OF STREETS WHERE SUCH STREETS ABUT ADJACENT PROPERTY, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED IN A RECORDED PLAT THE ONE FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS, OR SUCCESSORS.
13. ALL EASEMENT ARE CENTERED ON LOT LINES UNLESS SHOWN OTHERWISE.
14. ALL OFF-SITE UTILITY EASEMENTS TO BE DEDICATED BY SEPARATE INSTRUMENT PRIOR TO RECORDATION.
15. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY THE PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
16. THERE ARE NO PIPELINES OR PIPELINE EASEMENTS THROUGH THIS SUBDIVISION.
17. ALL DRAINAGE EASEMENTS SHOWN HEREON SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, FOUNDATIONS, PLANTINGS AND OTHER OBSTRUCTIONS FOR THE OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES.
18. SLAB ELEVATIONS (FINISHED FLOOR) SHALL BE SET AT OR ABOVE THE MINIMUM SLAB ELEVATIONS DEFINED.
19. ALL PROPERTY SHALL DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
20. ALL STORM WATER DRAINAGE PIPES, CULVERTS, OR OTHER (INCLUDES DRIVEWAY CULVERTS) WILL BE A MINIMUM 24" I.D. OR EQUIVALENT.
21. ALL STORM SEWERS WILL BE MAINTAINED BY BRAZORIA COUNTY M.U.D. NO. 53.
22. THIS SUBDIVISION EMPLOYS A DRAINAGE SYSTEM, WHICH UTILIZES STREETS AND ADJACENT PROPERTIES WITHIN THE SUBDIVISION PLAT BOUNDARY TO STORE AND CONVEY STORM WATER. THUS, DURING STORM EVENTS, PONDING OF WATER SHOULD BE EXPECTED TO OCCUR IN THE SUBDIVISION.
23. NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.
24. ALL LOTS SHALL HAVE ADEQUATE WASTEWATER FACILITIES.
25. ALL WATER AND WASTEWATER FACILITIES SHALL CONFORM TO THE CITY OF IOWA COLONY'S ENGINEERING DESIGN CRITERIA MANUAL.
26. EACH LOT SHALL PROVIDE A MINIMUM OF TWO OFF-STREET PARKING SPACES PER DWELLING UNIT ON EACH LOT. IN THOSE INSTANCES WHERE A SECONDARY UNIT IS PROVIDED ONLY ONE ADDITIONAL SPACE SHALL BE PROVIDED.
27. SIDEWALKS MUST BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH LOT.
28. A MINIMUM OF 5 FOOT WIDE SIDEWALKS SHALL BE REQUIRED ALONG STREETS AND SHALL CONFORM TO THE CITY OF IOWA COLONY'S ENGINEERING DESIGN CRITERIA MANUAL.
29. ALL STREETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF IOWA COLONY'S ENGINEERING DESIGN CRITERIA MANUAL.
30. OWNER WILL PROVIDE STREET NAME SIGNS AND TRAFFIC CONTROL DEVICES IN ACCORDANCE WITH THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
31. FINAL PLAT WILL EXPIRE TWO (2) YEARS AFTER FINAL APPROVAL BY COUNCIL, IF CONSTRUCTION OF THE IMPROVEMENTS HAS NOT COMMENCED WITHIN THE TWO-YEAR INITIAL PERIOD OR THE ONE-YEAR EXTENSION PERIOD GRANTED BY COUNCIL.
32. THE PLAT IS SUBJECT TO THE REQUIREMENTS OF SIERRA VISTA DEVELOPMENT AGREEMENT BETWEEN THE CITY OF IOWA COLONY AND LAND TEJAS SIERRA VISTA WEST, LLC.
33. THIS SUBDIVISION CONTAINS ONE OR MORE PERMANENT ACCESS EASEMENTS THAT HAVE NOT BEEN DEDICATED TO THE PUBLIC OR ACCEPTED BY THE CITY OF IOWA COLONY OR ANY OTHER LOCAL GOVERNMENT AGENCY AS PUBLIC RIGHTS-OF-WAY. THE CITY OF IOWA COLONY HAS NO OBLIGATION, NOR DOES ANY OTHER LOCAL GOVERNMENT AGENCY HAVE ANY OBLIGATION, TO MAINTAIN OR IMPROVE ANY PERMANENT ACCESS EASEMENT WITHIN THE SUBDIVISION, WHICH OBLIGATION SHALL BE THE SOLE RESPONSIBILITY OF THE OWNERS OF PROPERTY IN THIS SUBDIVISION.

FINAL PLAT
SIERRA VISTA WEST
SEC 9

A SUBDIVISION OF 25.36 ACRES OF LAND
OUT OF THE
LAVACA NAVIGATION COMPANY SURVEY, A-329

BRAZORIA COUNTY, TEXAS

99 LOTS 1 RESERVE 4 BLOCKS

JANUARY 2022

OWNER/
DEVELOPER: ASTRO SIERRA VISTA, L.P.
A DELAWARE LIMITED PARTNERSHIP
C/O STARWOOD LAND ADVISORS
6310 CAPITAL DRIVE, SUITE 130
LAKEWOOD RANCH, FLORIDA 34202

ENGINEER/
SURVEYOR: ELEVATION
land solutions
TBPE REGISTRATION NUMBER F-22671
2445 TECHNOLOGY FOREST BLVD, SUITE 200
THE WOODLANDS, TX 77381 832-823-2200
TBPS REGISTRATION NUMBER 10194692

APPROVED, ADICO, LLC, 01282022

STATE OF TEXAS §

COUNTY OF BRAZORIA §

A METES & BOUNDS description of a certain 25.36 acre (1,104,557 square feet) tract of land situated in the Lavaca Navigation Company Survey, Abstract No. 329, in Brazoria County, Texas, being a portion of the remainder of a called 501.92 acre tract conveyed to McAlister Opportunity Fund III, L.P. by deed recorded in Clerk's File No. 2017063409, Brazoria County Official Public Records; said 25.36 acre (1,104,557 square feet) tract of land being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83;

COMMENCING at a 5/8–inch iron rod found, being the southeast corner of said called 501.92 acre tract, being on the north right–of–way of County Road No. 64 (based on a width of 40–feet) recorded in Volume 2, Page 113, Brazoria County Plat Records, and Volume 3, Page 66, Brazoria County Plat Records, and being on the west right–of–way of County Road No. 48 (based on a width of 40–feet) recorded in Volume 2, Page 113, Brazoria County Plat Records, and Volume 3, Page 66, Brazoria County Plat Records;

THENCE, North 37°41'56" West, 1,029.66 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the northeast corner of (proposed) Sierra Vista West Sec 8, and being the POINT OF BEGINNING of the herein described tract;

THENCE, along the north line of said (proposed) Sierra Vista West Sec 8, the following sixteen (16) courses and distances;

1. South 87°23'17" West, 116.53 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the beginning of a curve to the right;
2. Along said curve to the right in a southwesterly direction, with a radius of 50.00 feet, a central angle of 143°35'15", an arc length of 125.30 feet, and a chord bearing South 54°57'37" West, 94.99 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the beginning of a reverse curve to the left;
3. Along said reverse curve to the left in a westerly direction, with a radius of 25.00 feet, a central angle of 39°20'45", an arc length of 17.17 feet, and a chord bearing North 72°55'08" West, 16.83 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
4. South 87°24'30" West, 15.53 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
5. North 02°35'30" West, 60.00 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
6. North 87°24'30" East, 11.06 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the beginning of a curve to the left;
7. Along said curve to the left in a northeasterly direction, with a radius of 25.00 feet, a central angle of 90°01'12", an arc length of 39.28 feet, and a chord bearing North 42°23'53" East, 35.36 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
8. North 02°36'43" West, 99.99 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
9. South 87°24'30" West, 251.58 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
10. South 82°56'17" West, 73.26 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
11. South 76°43'26" West, 183.81 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
12. South 82°27'19" West, 55.52 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
13. South 87°23'17" West, 457.64 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
14. North 34°11'34" West, 62.05 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
15. North 24°08'02" West, 51.47 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;
16. North 04°05'20" West, 423.51 feet to a 5/8–inch iron rod (with cap stamped "ELS") set, being the beginning of a curve to the right, and being on the east line of a called 29.45 acre tract (Sierra Vista West Section 7) conveyed to Land Tejas Sierra Vista West, LLC, a Texas limited liability company, by deed recorded in Clerk File's No. 2021057930, Brazoria County Official Public Records;

THENCE, along the east line of said called 29.45 acre tract, the following ten (10) courses and distances;

1. Along said curve to the right in an easterly direction, with a radius of 420.00 feet, a central angle of 00°32'28", an arc length of 3.97 feet, and a chord bearing South 84°56'36" East, 3.97 feet to a 5/8–inch iron rod (with cap) found;
2. North 05°19'38" East, 123.81 feet to a 5/8–inch iron rod (with cap) found;
3. North 21°36'41" East, 54.35 feet to a 5/8–inch iron rod (with cap) found;
4. North 32°00'19" East, 53.78 feet to a 5/8–inch iron rod (with cap) found;
5. North 31°57'53" East, 53.76 feet to a 5/8–inch iron rod (with cap) found;
6. North 48°31'26" East, 53.79 feet to a 5/8–inch iron rod (with cap) found;
7. North 52°04'31" East, 53.85 feet to a 5/8–inch iron rod (with cap) found;
8. North 61°37'48" East, 56.85 feet to a 5/8–inch iron rod (with cap) found;
9. North 61°52'48" East, 196.65 feet to a 5/8–inch iron rod (with cap) found;
10. North 52°12'32" East, 141.46 feet to a 5/8–inch iron rod (with cap) found;

THENCE, South 32°21'18" East, 13.76 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, North 57°38'42" East, 192.02 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 32°20'18" East, 56.67 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 37°36'17" East, 58.78 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 42°20'49" East, 56.70 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 47°26'26" East, 56.70 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 51°54'55" East, 58.35 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 52°32'03" East, 180.00 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 50°25'51" East, 69.32 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 44°24'52" East, 71.48 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 38°13'29" East, 71.48 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 32°02'06" East, 71.48 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 25°50'44" East, 71.48 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 19°39'21" East, 71.48 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 13°27'59" East, 71.48 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 07°16'36" East, 71.48 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 02°50'18" East, 62.93 feet to a 5/8–inch iron rod (with cap stamped "ELS") set;

THENCE, South 02°36'43" East, 325.00 feet to the POINT OF BEGINNING, CONTAINING 25.36 acres (1,104,557 square feet) of land in Brazoria County, Texas, filed in the offices of Elevation Land Solutions in The Woodlands, Texas.

STATE OF TEXAS §

COUNTY OF BRAZORIA §

We, ASTRO SIERRA VISTA, L.P., A Delaware Limited Partnership, acting by and through Melanie Ohl, Authorized Person, being an officer of ASTRO SIERRA VISTA GP, LLC, a Delaware limited liability company, its General Partner, owners of the property subdivided in this plat (hereinafter referred to as "Owner") of the 25.36 Acre tract described in the above and foregoing map of SIERRA VISTA WEST SEC 9, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back–to–back ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back–to–back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back–to–back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

FURTHER, owners do hereby certify that we are the owners of all property immediately adjacent to the boundaries of the above and foregoing subdivision of Sierra Vista West Sec 9 where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley, or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15'–0") wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Iowa Colony, Fort Bend County, or any other governmental agency, the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the ASTRO SIERRA VISTA, L.P., a Delaware limited partnership, has caused these presents to be signed by Melanie Ohl, Authorized Person, being an officer of ASTRO SIERRA VISTA GP, LLC, a Delaware limited liability company, its General Partner, thereunto authorized this _____ day of _____, 20__.

ASTRO SIERRA VISTA, L.P.,
A Delaware limited partnership

By: ASTRO SIERRA VISTA GP, LLC,
a Delaware limited liability company,
its General Partner

By: _____
Melanie Ohl
Authorized Person

Copy

This plat is hereby APPROVED by the City of Iowa Colony City Council, this _____ day of _____, 20___

_____
Michael Byrum–Brasten
Mayor

_____
Sydney Hargroder

_____
Arnetta Hicks–Murray

_____
Marquette Greene–Young

_____
Wil Kennedy

_____
Chad Wilsey
Mayor Pro–Tem

This plat is hereby APPROVED by the City of Iowa Colony Planning and Zoning Commission, this _____ day of _____, 20___

_____
David Hurst
Chairman

_____
Steven Byrum–Bratsen

_____
Les Hosey

_____
Brian Johnson

_____
McLean Barnett

_____
Melanie Hampton

_____
Tim Varlack

STATE OF TEXAS §

COUNTY OF BRAZORIA §

Before me, the undersigned authority, on this day personally appeared Melanie Ohl, Authorized Person, being an officer of ASTRO SIERRA VISTA GP, LLC, a Delaware limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this
_____ Day of _____, 20__

_____
Notary Public in and for the State of Texas

My Commission expires _____

I, Paul R. Bretherton, am authorized (or registered) under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.

_____
Paul R. Bretherton
Texas Registration No. 5977

This plat is hereby APPROVED by the City of Iowa Colony City Engineer, this
_____ day of _____, 20__

_____
Dinh V. Ho, P.E.

FINAL PLAT
SIERRA VISTA WEST SEC 9

A SUBDIVISION OF 25.36 ACRES OF LAND
OUT OF THE
LAVACA NAVIGATION COMPANY SURVEY, A-329

BRAZORIA COUNTY, TEXAS

99 LOTS 1 RESERVE 4 BLOCKS

JANUARY 2022

OWNER/ DEVELOPER:
ASTRO SIERRA VISTA, L.P.
A DELAWARE LIMITED PARTNERSHIP
C/O STARWOOD LAND ADVISORS
6310 CAPITAL DRIVE, SUITE 130
LAKEWOOD RANCH, FLORIDA 34202

ENGINEER/ SURVEYOR:
ELEVATION
land solutions
TBPE REGISTRATION NUMBER F-22671
2445 TECHNOLOGY FOREST BLVD. SUITE 200
THE WOODLANDS, TX 77381 832-823-2200
TBPS REGISTRATION NUMBER 10194692

ADICO
CONSULTING ENGINEERS

Thursday, January 27, 2022

Stan Winter
Jones Carter
1575 Sawdust Road, Suite 400
The Woodlands, TX 77380

Re: Sierra Vista Section 9 Preliminary Plat
Letter of Recommendation to Approve
City of Iowa Colony Project No. SPP 210714-0910
Adico, LLC Project No. 16007-2-207

Dear Mr. Winter,

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the second submittal of Sierra Vista Section 9 preliminary plat package received on or about January 25, 2022 The review of the plat is based on the City of Iowa Colony Subdivision Ordinance dated August 2002 and as amended.

Based upon our review, we have no objections to the preliminary plat as resubmitted on January 25, 2022. Please provide Kayleen Rosser, City Secretary, with ten (10) folded copies of the plat by no later than January 27th for consideration at the February 1, 2022, Planning and Zoning meeting.

Should you have any questions, please do not hesitate to contact our office.

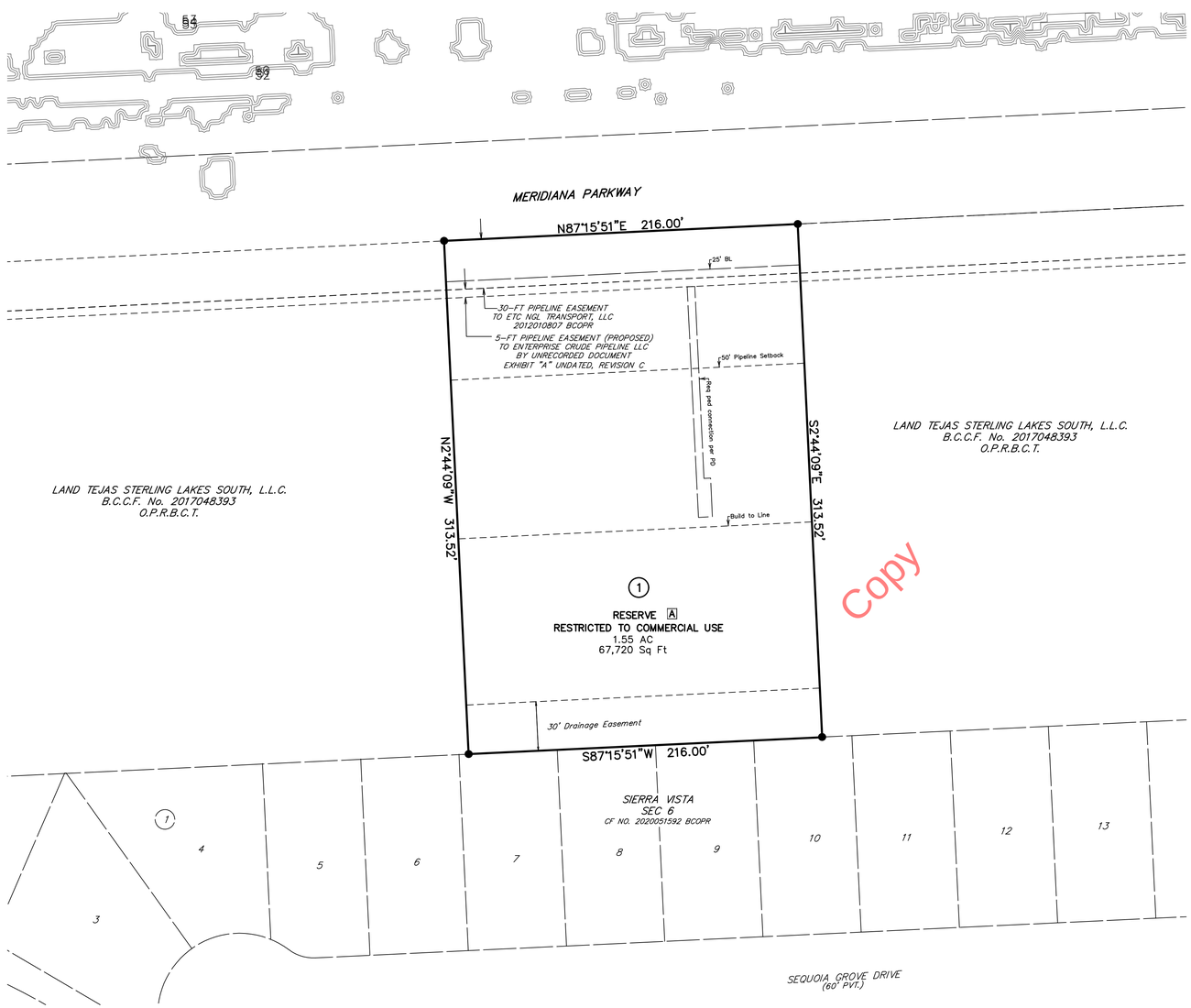
Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Copy

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-2-207

APPROVED, ADICO, LLC, 01272022



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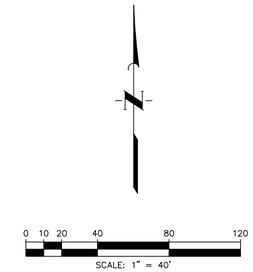


VICINITY MAP

PRELIMINARY PLAT NOTES:

1. Slab elevations (finished floor) shall be set at or above the minimum slab elevations defined in this plat.
2. All drainage easements shown hereon shall be kept clear of fences, buildings, foundations, plantings and other obstructions to the operation and maintenance of drainage facilities.
3. All property shall drain into the drainage easement only through an approved drainage structure.
4. The property subdivided in the foregoing plat lies within Brazoria County Drainage District #5
5. This subdivision employs a drainage system, which utilizes streets and adjacent properties to store and convey storm water. Thus, during storm events, ponding of water should be expected to occur in the subdivision.
6. Other than shown hereon, there are no pipeline easements, or pipelines within the boundaries of this plat.
7. All storm water drainage pipes, culverts, or other (includes driveway culverts) will be a minimum 24" I.D. or equal.
8. No Building Permits will be issued until all storm drainage improvements, which may include detention, have been constructed.
9. The Final Plat will expire one (1) year after the final approval by the City Council if construction of the improvements has not commenced within the one (1) year period, or the one (1) year extension period granted by the City Council.
10. Subdivision is located in Zone "X" with no base flood base elevation required. This information is based on Brazoria County FIRM Community Map 485458, Panel 115H, dated June 5, 1989.
11. All bearings based on the Texas State Plane Coordinate System, South Central Zone.
12. All coordinates shown hereon are surface and may be converted to the Texas State Plane Coordinate System, South Central Zone, NAD 83 Grid Coordinates by applying the following scale factor: 0.999857950.
13. Monuments set as exterior boundary markers will be set with a minimum of five eights (5/8) inch iron rod or three quarters (3/4) inch iron pipe at least thirty six (36) inches long, encased in concrete for a minimum of eighteen (18) inches below the surface of the ground.
14. All permanent reference monuments ('PRM') will be set at all boundary line angle points, block corners, angle points, points of curvature, and at intervals not to exceed one thousand (1,000) feet. Permanent reference monuments shall conform to the Texas professional land surveying practices act and the general rules of procedures and practices.
15. All monuments will be set to the standard of the Texas society of professional land surveying practices act and the general rules of procedures and practices of the Texas board of professional land surveying and shall bear reference caps as indicated.
16. Interior lot corner monuments will be set with a minimum of five eights (5/8) inch iron rod at least thirty six (36) inches in length.
17. All streets shall be constructed in accordance with the city's design criteria.
18. Street right-of-way dedicated for perimeter streets of at least sixty (60) feet in width or a minimum of one half (1/2) of the total required right-of-way, whichever is greater.
19. All water and wastewater facilities shall conform to the city's design criteria.
20. A minimum of five (5) foot wide sidewalks shall be required along streets and shall conform to the citys design criteria.
21. This property is subject to the Development Agreement and Plan of Development by the City of Iowa Colony, Texas and Land Tejas Sterling Lakes South, LLC and MacAllister for Sierra Vista dated February 15, 2016.

BENCHMARKS:
SOURCE BENCHMARK:
Elevations shown hereon are based on TXDOT Monument HV-79C located in the mdedian of S.H. 288 approximately 125 feet +/- south of C.R. 56 with a published elevation of 49.31 feet, NAVD 99, 1991 adjustment.

TEMPORARY BENCHMARK:
TBM "B" being set 100-D nail in a power pole located east of the entrance to sterling lakes subdivision.
Elevation = 57.63 feet, NAVD 88, 1991 adjustment.

SIERRA VISTA

SEC 9

A SUBDIVISION OF 1.55 ACRES OF LAND
OUT OF THE
SECTION 51, H.T. & B.R.R. CO. SURVEY, A-288,
BRAZORIA COUNTY, TEXAS
1 RESERVE 1 BLOCK
JANUARY 2022

OWNER:
LAND TEJAS STERLING LAKES SOUTH, LLC
2450 FONDREN RD.
HOUSTON, TX 77063

ENGINEER:
MAHARD CONSULTING
BUILDING 4
2445 TECHNOLOGY FOREST BLVD STE 200
THE WOODLANDS, TX 77380

PLANNER:
JONES|CARTER
Texas Board of Professional Engineers Registration No. F-439
8701 New Trails Drive, Suite 200 • The Woodlands, Texas 77381
281.363.4039

ADICO
CONSULTING ENGINEERS

Tuesday, January 25, 2022

Abrahim Nimroozi
West Belt Surveying, Inc.
21020 Park Row Dr.
Katy, TX 77449

Re: AISD Nichols-Mock Elementary Final Plat
Letter of Recommendation to Approve with Conditions
City of Iowa Colony Project No. 568
Adico, LLC Project No. 16007-2-230

Dear Mr. Nimroozi;

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the second submittal for AISD Nichols-Mock Elementary final plat, received on or about January 25, 2022. The review of the plat is based on the City of Iowa Colony Subdivision Ordinance No. 2019-09 dated August 2002, and as amended.

Based on our review, we have no objections to the final plat as resubmitted. Final plat approval is contingent on the applicant being approved for a variance regarding the Build to Line.

Should you have any questions, please do not hesitate to call me.

Sincerely,
Adico, LLC

Dinh Ho, P.E.

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Copy

Cc: Kayleen Rosser, COIC
Robert Hemminger, COIC
File: 16007-2-230

APPROVED, ADICO, LLC, 01252022

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF BRAZORIA

We, Alvin Independent School District, owner of the property being subdivided, in this plat of Alvin ISD Nichols–Mock Elementary, do hereby make subdivision of said property for and on behalf of Alvin Independent School District, according to the lines, lots, building lines, streets, alleys, parks and easements as shown hereon and dedicate for public use, the streets, alleys, parks and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigned to warrant and defend the title to the land so dedicated.

In Testimony, hereto, Alvin Independent School District, has caused these presents to be signed by Carol Nelson, Superintendent, thereunto authorized, and its common seal hereunto affixed, this _____ day of _____, 2022.

Alvin Independent School District

_____
Carol Nelson, Superintendent

THE STATE OF TEXAS

COUNTY OF BRAZORIA

Before me, the undersigned authority, on this day personally appeared Carol Nelson, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein set forth.

WITNESS MY HAND AND SEAL OF OFFICE this__day of_____, 2022.

_____
Notary Public in and for the State of Texas

_____
(Print Name)

_____
My Commission Expires:

I, Joel D. Walker, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angles points of curvature and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes and a length of not less than three (3) feet.

Joel D. Walker 1/25/22
Joel D. Walker — Date
Texas Registration No. 5189

STATE OF TEXAS REGISTERED JOEL D. WALKER 5189 PROFESSIONAL LAND SURVEYOR

This plat is hereby APPROVED by the City of City of Iowa Colony City Council, this _____ day of _____, 20__.

_____ Michael Byrum–Bratsen, Mayor

_____ Sydney Hargroder

_____ Arnetta Hicks–Murray

_____ Marquette Greene–Young

_____ Wil Kennedy

_____ Chad Wilsey

This plat is hereby APPROVED by the City of City of Iowa Colony Planning and Zoning Commission, this _____ day of _____, 20__.

_____ David Hurst, Chairman

_____ Melanie Hampton

_____ Steven Byrum–Bratsen

_____ Les Hosey

_____ Brian Johnson

_____ Timothy Varlack

_____ McLean Barnett

NOTES:

1. THE PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF IOWA COLONY.

2. THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204, STATE PLANE COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE (LOCAL COORDINATES) BY DIVIDING THE DEPICTED COORDINATE BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.999866036596 (X×S.F.=SURFACE VALUE).

3. BEARINGS DEPICTED HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).

4. ACCORDING TO F.I.R.M. MAP NO. 48039C0115K (COMMUNITY–PANEL NO. 4854580115K), MAP REVISED DATE: DECEMBER 30, 2020. THE SUBJECT PROPERTY LIES WITHIN THE AREA DESIGNATED AS ZONE "X" UNSHADED. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THIS STATEMENT IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE ABOVE REFERENCED MAP. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

5. THE FINAL PLAT WILL EXPIRE TWO (2) YEARS AFTER FINAL APPROVAL BY COUNCIL, IF CONSTRUCTION OF THE IMPROVEMENTS HAS NOT COMMENCED WITHIN THE TWO–YEAR INITIAL PERIOD OR THE ONE–YEAR EXTENSION PERIOD GRANTED BY COUNCIL.

6. THIS TRACT LIES WITHIN THE BRAZORIA COUNTY MUD NO. 53.

7. ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A DEDICATED EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.

7. THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL HAVE A MINIMUM OF 24 INCHES ABOVE BASE FLOOD ELEVATION.

8. ALL MONUMENTS ARE OR WILL BE SET TO THE STANDARD OF THE TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYING PRACTICES ACT AND THE GENERAL RULES OF PROCEDURES AND PRACTICES OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND SHALL BEAR REFERENCE CAPS AS INDICATED.

9. ALL STREETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY'S DESIGN CRITERIA.

10. ALL WATER AND WASTEWATER FACILITIES SHALL CONFORM TO THE CITY'S DESIGN CRITERIA.

11. A MINIMUM OF FIVE (5) FOOT WIDE SIDEWALKS SHALL BE REQUIRED ALONG ALL STREETS AND SHALL CONFORM TO THE CITY'S DESIGN CRITERIA.

12. SITEPLAN SHALL BE SUBJECT TO THE REQUIREMENTS OF CITY OF IOWA COLONY UNIFIED DEVELOPMENT CODE.

13. THE TRACT IS SUBJECT TO THE REQUIREMENTS OF THE DEVELOPMENT AGREEMENT FOR SIERRA VISTA WEST BETWEEN THE CITY OF IOWA COLONY AND LAND TEJAS SIERRA VISTA WEST, LLC, AND AS AMENDED.

LEGAL DESCRIPTION:

BEGINNING at a 5/8–inch iron rod (with cap stamped "Manhard") set, being on the east line of a called 4.5169 acre tract (Tract 4) conveyed to Land Tejas Sierra Vista West, LLC by deed recorded in Clerk's File No. 2019027076, Brazoria County Official Public Records, corrected by Clerk's File No. 2019029817, Brazoria County Official Public Records and being the northwest corner of the herein described tract, from which a 5/8–inch iron rod (with cap stamped "Manhard") found bears North 02°35'30" West, 24.30 feet, being on the east line of said called 4.5169 acre tract (Tract 4);

THENCE, North 87°23'17" East, 697.43 feet to a 5/8–inch iron rod (with cap stamped "Manhard") set, being the beginning of a tangent curve to the right;

THENCE, along said tangent curve to the right in an easterly direction, with a radius of 20.00 feet, a central angle of 45°00'00", an arc length of 15.71 feet, and a chord bearing South 70°06'43" East, 15.31 feet to a 5/8–inch iron rod (with cap stamped "Manhard") set;

THENCE, South 47°36'47" East, 292.58 feet to a 5/8–inch iron rod (with cap stamped "Manhard") set, being the beginning of a non–tangent curve to the right;

THENCE, along said non–tangent curve to the right in a southeasterly direction, with a radius of 20.06 feet, a central angle of 45°46'34", an arc length of 16.02 feet, and a chord bearing South 25°30'46" East, 15.60 feet to a 5/8–inch iron rod (with cap stamped " Manhard") set;

THENCE, South 02°36'37" East, 490.47 feet passing a 5/8–inch iron rod (with cap stamped "Manhard") set, continuing for a total distance of 530.46 feet to a 5/8–inch iron rod (with cap stamped "Manhard") set, being on the south line of the remainder of said called 501.92 acre tract, being on the north right–of way line of County Road No. 64 (based on a width of 40 feet) recorded in Volume 2, Page 113, Plat Records of Braz.oria County, Texas, and being the southeast corner of the herein described tract, from which a 5/8–inch iron rod found bears North 87°24'30" East, 2,634.15 feet, being the southeast corner of the remainder of said called 501.92 acre tract, being on the north right–of–way line of said County Road No. 64, and being on the west right–of–way line of County Road No. 48 (based on a width of 40 feet) recorded in Volwne 2, Page 113, Plat Records of Brazoria County, Texas;

THENCE, South 87°24'30" West, 884.79 feet to a 5/8–inch iron rod (with cap stamped "Manhard") found, being on the south line of the remainder of said called 501.92 acre tract, being on the north right–of–way line of said County Road No. 64, and being the southwest corner of the herein described tract, from which a 5/8–inch iron rod (with cap)found bears South 87°24'30" West, 2,165.08 feet, being the southwest corner of the remainder of said called 501.92 acre tract;

THENCE, North 02°35'30" West, 39.99 feet to a 5/8–inch iron rod (with cap stamped "Manhard") found, being the beginning of a non–tangent curve to the right;

THENCE, along said non–tangent curve to the right in a northwesterly direction, with a radius of 35.00 feet, a central angle of 90°00'00", an arc length of 54.98 feet, and a chord bearing North 47°35'30" West, 49.50 feet to a 5/8–inch iron rod (with cap stamped "Manhard") found;

THENCE, North 02°35'30" West, 56.67 feet to a 5/8–inch iron rod (with cap stamped "Manhard") found, being the beginning of a tangent curve to the left;

THENCE, along said tangent curve to the left in a northerly direction, with a radius of 500.00 feet, a central angle of 01°54'33", an arc length of 16.66 feet, and a chord bearing North 03°32'47" West, 16.66 feet to a 5/8–inch iron rod (with cap stamped "Manhard") found;

THENCE, North 04°30'03" West, 133.42 feet to a 5/8–inch iron rod (with cap stamped "Manhard") found, being the beginning of a tangent curve to the right;

THENCE, along said tangent curve to the right in a northerly direction, with a radius of 500.00 feet, a central angle of 01°54'33", an arc length of 16.66 feet, and a chord bearing North 03°32'47" West, 16.66 feet to a 5/8–inch iron rod (with cap stamped "Manhard") found, being on the east line of said called 4.5169 acre tract(Tract 4);

THENCE, North 02°35'30" West, 458.93 feet to the POINT OF BEGINNING, CONTAINING 15.47 acres(673,656 square feet) ofland in Montgomery County, Texas filed in the office of Manhard Consulting, Ltd. in The Woodlands, Texas.

Copy

REFERENCE BENCHMARK:

TXDOT MONUMENT HV–79C – ELEVATIONS SHOWN HEREON ARE BASED ON THE TXDOT MONUMENT HV–79C LOCATED IN THE MEDIAN OF HIGHWAY 288 APPROXIMATELY 125 FEET SOUTH OF COUNTY ROAD 56.
ELEVATION = 49.31' (NAVD 88, 2001 ADJ.)

TEMPORARY BENCHMARKS:

TBM"A1" – BOX CUT ON TOP OF "C" INLET LOCATED ON THE EAST SIDE OF CRYSTAL VIEW DRIVE ON THE FIRST "C" INLET NORTH OF DAVENPORT PARKWAY (COUNTY ROAD 64).
ELEVATION = 58.68'

BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5 NOTES:

1. SLAB ELEVATIONS (FINISHED FLOOR) SHALL BE A MINIMUM OF 2 FEET ABOVE FINISHED GRADE.

2. ALL DRAINAGE EASEMENTS SHOWN HEREON SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES.

3. ALL PROPERTY SHALL DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.

4. ALL DRAINAGE EASEMENTS AND DETENTION POND RESERVES SHOWN ON THIS PLAT, WILL BE MAINTAINED BY THE PROPERTY OWNERS AND/OR BUSINESS OWNERS; PROVIDED, HOWEVER, AND GOVERNMENTAL ENTITY HAVE JURISDICTION, INCLUDING, WITHOUT LIMITATION, BRAZORIA COUNTY, TEXAS AND BRAZORIA COUNTY DRAINAGE DISTRICT # 5, SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION TO ENTER UPON THE DRAINAGE EASEMENTS TO PERFORM MAINTENANCE OPERATIONS AT ANY TIME AFTER THE DATE HEREOF.

5. THE PROPERTY IDENTIFIED IN THE FOREGOING PLAT LIES WITH BRAZORIA COUNTY DRAINAGE DISTRICT #5.

6. THIS RURAL COMMERCIAL SITE EMPLOYS A NATURAL DRAINAGE SYSTEM, WHICH IS INTENDED TO PROVIDE DRAINAGE FOR THE SITE THAT IS SIMILAR TO THAT WHICH EXISTED UNDER PRE–DEVELOPMENT CONDITIONS. THUS, DURING LARGE STORM EVENTS, PONDING OF WATER SHOULD BE EXPECTED TO OCCUR ON THE SITE TO THE EXTENT IT MAY HAVE PRIOR TO DEVELOPMENT, BUT SUCH PONDING SHOULD NOT REMAIN FOR AN EXTENDED PERIOD OF TIME.

7. LAND USE WITHIN THE COMMERCIAL SITE IS LIMITED TO AN AVERAGE IMPERVIOUSNESS OF NO MORE THAN 85 PERCENT. THE DRAINAGE AND /OR DETENTION SYSTEM HAS BEEN DESIGNED WITH THE ASSUMPTION THAT THIS AVERAGE PERCENT, IMPERVIOUSNESS WILL NOT BE EXCEEDED. IF THIS PERCENTAGE IS TO BE EXCEEDED, A REPLAT AND/OR REDESIGN OF THE SYSTEM MAY BE NECESSARY.

8. OTHER THAN SHOWN HERON, THERE ARE NO PIPELINE EASEMENTS OR PIPELINES WITHIN THE BOUNDARIES OF THIS PLAT.

9. ALL STORM WATER DRAINAGE PIPES, CULVERTS, TILES OR OTHER (INCLUDING DRIVEWAY CULVERTS) WILL BE MINIMUM 24"I.D. OR EQUAL.

10. DEDICATED DRAINAGE EASEMENT(S) GRANTED TO BRAZORIA COUNTY DRAINAGE DISTRICT # 5 FOR DRAINAGE MAINTENANCE PURPOSES SHALL INCLUDE 45 FEET TOP OF BANK, PLUS THE SUM (FOOTAGE) OF BOTH DITCH SIDE SLOPES AND CHANNEL BOTTOM AND 45 FEET OF BANK ON THE OPPOSITE BANK.

11. DEDICATED INGRESS/EGRESS ACCESSES ARE GRANTED TO BRAZORIA COUNTY DRAINAGE DISTRICT # 5 (SEE DISTRICT RESOLUTION NO 2007–06 & NO 2007–07). ACCESS WILL BE GATED AND LOCKED WITH BRAZORIA COUNTY DRAINAGE DISTRICT # 5'S LOCK.

12. PROHIBITED USE OF "METAL"PIPE IN STORM WATER/SEWER APPLICATIONS (SEE DISTRICT RESOLUTION NO 2007–08).

13. PROHIBITED USE OF "RIP–RAP"IN STORM WATER/SEWER APPLICATIONS (DISTRICT POLICY).

14. PIPELINES, UTILITY LINES AND OTHER CROSSING UNDER ANY BRAZORIA COUNTY DRAINAGE DISTRICT #5 DITCH REQUIRE APPROVAL AND PERMITTING PRIOR TO CONSTRUCTION.

15. ALL DEDICATED STORM WATER DRAINAGE AND/OR ACCESS EASEMENTS TO BE GRANTED TO BRAZORIA COUNTY DRAINAGE DISTRICT # 5 BY THE PROPERTY OWNER WILL BE INITIATED AND RECORDED, AT PROPERTY OWNER'S EXPENSE, IN BRAZORIA COUNTY, TEXAS WITH A "RECORDED DOCUMENT NUMBER" AFFIXED TO SAID EASEMENT PRIOR TO FINAL PROJECT APPROVAL GRANTED BY BRAZORIA COUNTY DRAINAGE DISTRICT # 5 BOARD OF COMMISSIONERS.

16. IT WILL BE THE PROPERTY OWNER'S RESPONSIBILITY TO VERIFY IF ANY BRAZORIA COUNTY DRAINAGE DISTRICT # 5 "DEDICATED"DRAINAGE EASEMENTS ARE ON OR CROSS THEIR PROPERTY. IF SO, THE PROPERTY OWNER WILL COMPLY AS STATED WITHIN THE RECORDED EASEMENT.

17. PROJECT FIELD START–UP WILL START WITHIN 365 CALENDAR DAYS FROM DATE SHOWN HERE. CONTINUOUS AND REASONABLE FIELD SITE WORK IS EXPECTED. SEE BRAZORIA COUNTY DRAINAGE CRITERIA MANUAL SECTION 1, INTRODUCTION; SUB –SECTION 1.5. PLAT AND PLAN APPROVAL PROCESS, AND DRAINAGE ACCEPTANCE PROCEDURES; TIME LIMIT FOR APPROVAL AND BRAZORIA COUNTY DRAINAGE DISTRICT # 5 RESOLUTION 2011–1. ALLOWABLE TIME(S) AND PROCEDURES FOR STARTING–UP APPROVED PROJECTS.

APPROVED BY BRAZORIA COUNTY DRAINAGE DISTRICT # 5

_____ Lee Walden, P.E — Date
President

_____ Kerry Osburn — Date
Vice President

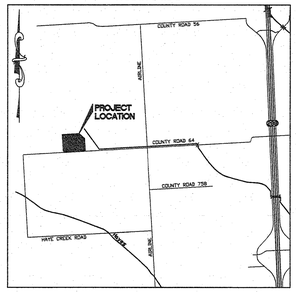
_____ Brandon Middleton — Date
Secretary/Treasurer

_____ Jarrod Aden — Date
District Engineer

Note: Project field startup will start within 365 calendar days from date here shown. Continuous and reasonable field site work is expected.

BCDD5 Ref ID#: B210066

VICINITY MAP



KEY MAP 691R
SCALE 1" = 3000'

ALVIN ISD NICHOLS - MOCK ELEMENTARY

A SUBDIVISION OF
15.465 ACRES
OUT OF THE
LAVACA NAVIGATION CO. SURVEY,
ABSTRACT NO. 329
BRAZORIA COUNTY, TEXAS

1 BLOCK 1 RESERVE

JANUARY 25, 2022

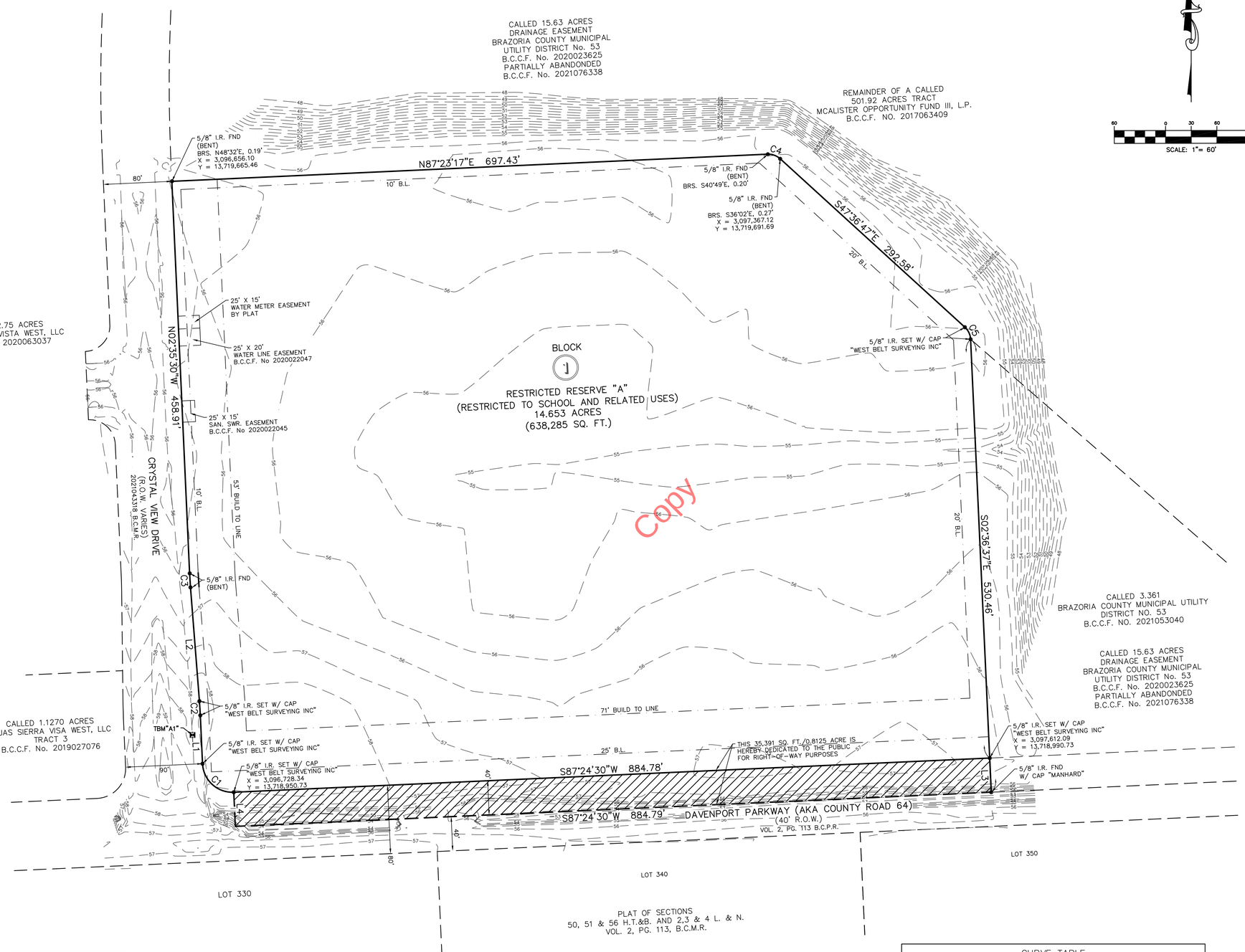
WEST BELT SURVEYING, INC.

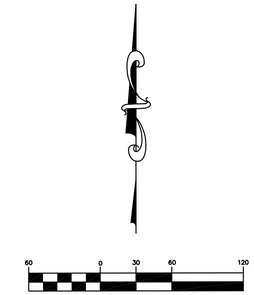
21020 PARK ROW — PHONE: (281) 599-8288
KATY, TEXAS 77449 — FAX: (281) 492-6026
CERTIFIED FIRM NO. 10073800

ENGINEER:
S&C ENGINEERING CONSULTANTS, LLC
1796 AVENUE D, SUITE B
KATY, TEXAS 77493
(832) 437-7377

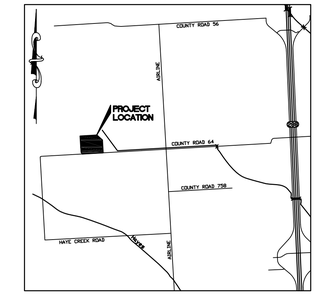
OWNER:
BILL VANWAGNER
ALVIN INDEPENDENT SCHOOL DISTRICT
301 E. HOUSE STREET
ALVIN, TEXAS 77511
(281) 388-1130

APPROVED, ADICO, LLC, 01252022





VICINITY MAP



KEY MAP 691R
SCALE 1" = 3000'

ABBREVIATIONS:

B.L.–BUILDING LINE
ESMT.–EASEMENT
FND.–FOUND
FT.–FEET
B.C.C.F.–BRAZORIA COUNTY CLERK'S FILE
B.C.D.R.–BRAZORIA COUNTY DEED RECORDS
B.C.M.R.–BRAZORIA COUNTY MAP RECORDS
I.R.–IRON ROD
No.–NUMBER
PG.–PAGE
R.O.W.–RIGHT–OF–WAY
SQ.–SQUARE
VOL.–VOLUME

ALVIN ISD NICHOLS - MOCK ELEMENTARY

A SUBDIVISION OF
15.465 ACRES
OUT OF THE
LAVACA NAVIGATION CO. SURVEY,
ABSTRACT NO. 329
BRAZORIA COUNTY, TEXAS

1 BLOCK 1 RESERVE

JANUARY 25, 2022

LINE TABLE		
LINE	BEARING	LENGTH
L1	N02°35'30"W	56.67'
L2	N04°30'03"W	133.42'
L3	S02°36'37"E	40.00'
L4	N02°35'30"W	40.00'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	54.98'	35.00'	90°00'00"	N47°35'30"W	49.50'
C2	16.66'	500.00'	1°54'33"	N03°32'46"W	16.66'
C3	16.66'	500.00'	1°54'33"	N03°32'46"W	16.66'
C4	15.71'	20.00'	45°00'00"	S70°06'43"E	15.31'
C5	16.03'	20.06'	45°46'34"	S25°30'46"E	15.60'

WEST BELT
SURVEYING, INC.
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PHONE: (281) 599-8288
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ALVIN, TEXAS 77511
(281) 388-1130

CITY OF IOWA COLONY

12003 Iowa Colony Blvd.
Iowa Colony Tx. 77583
Phone: 281-369-2471
Fax: 281-369-0005
www.iowacolonytx.gov

IOWA COLONY PLANNING COMMISSION
MINUTES OF FEBRUARY 1, 2022

Members present: David Hurst, Tim Varlack, McLean Barnett, Steven Byrum-Bratsen, Les Hosey, and Brian Johnson

Members absent: Melanie Hampton

Others present: Dinh Ho and Robert Hemminger

WORKSESSION- 6:00 P.M.

1. Chairman Hurst called the worksession to order at 6:00 P.M.

2. Discussion of proposed Sierra Vista mixed use development. Alex Makris with NAI gave a presentation on the mixed-use parcels in the Sierra Vista development. Planning and Zoning members asked questions and stated their concerns.

3. Chairman Hurst adjourned the worksession at 7:03 P.M.

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MEETING- 7:00 P.M.

1. Chairman Hurst called the meeting to order at 7:03 P.M.

2. Administer the Oath of Office to newly appointed members. Kayleen Rosser, City Secretary administered the Oath of Office to Brian Johnson.

3. Citizens Comments. There were no comments from the public.

4. Consider approval of the following Planning and Zoning Commission meeting minutes

- January 4, 2022

Steven Byrum-Bratsen made a motion to approve the meeting minutes of January 4, 2022. Seconded by Tim Varlack. Approved unanimously with six ayes.

5. Consideration and possible action for the Alvin ISD Nichols-Mock Elementary School Variance to the Unified Development Code. Les Hosey made a motion to recommend approval to City Council to approve the variance for the build to line per staff's recommendation. Seconded by Steven Byrum-Bratsen. Approved unanimously.

6. Consideration and possible action for the Alvin ISD Nichols-Mock Elementary School Final Plat. Steven Byrum-Bratsen made a motion to approve the Alvin ISD Nichols-Mock Elementary School Final Plat. Seconded by Les Hosey. Approved unanimously.

7. Consideration and possible action for the Meridiana Section 55A Preliminary Plat. Steven Byrum-Bratsen made a motion to approve the Meridiana Section 55A Preliminary Plat. Seconded by McLean Barnett. Approved unanimously.

8. Consideration and possible action for the Sierra Vista Section 9 Preliminary Plat. Steven Byrum-Bratsen moved to approve Sierra Vista Section 9 Preliminary Plat. Seconded by Tim Varlack. Approved unanimously.

9. Consideration and possible action for a revision to previously approved Sierra Vista West Section 8 Final Plat. Tim Varlack moved to approve the revision to the previously approved Sierra Vista West Section 8 Final Plat. Seconded by Steven Byrum-Bratsen. Approved unanimously.

10. Consideration and possible action for a revision to previously approved Sierra Vista West Section 9 Final Plat. Steven Byrum-Bratsen made a motion to approve the revision to the previously approved Sierra Vista West Section 9 Final Plat. Seconded by Les Hosey. Approved unanimously.

11. Consideration and possible action to provide a recommendation to city council for proposed Sierra Vista mixed use development. Chairman Hurst made a motion to make a recommendation to City Council for multi family in the Sierra Vista mixed use development. Seconded by Tim Varlack. Motion failed with four (Tim Varlack, McLean Barnett, Steven Byrum-Bratsen, and Les Hosey) voting against. David Hurst and Brian Johnson voted in favor of the motion.

12. The meeting was adjourned at 7:26 P.M.

APPROVED THIS 1st DAY OF MARCH, 2022.

Copy

ATTEST:

_____ _____

Kayleen Rosser, City Secretary David Hurst, Chairman

MULLER
LAW GROUP
A PROFESSIONAL LIMITED LIABILITY COMPANY

202 Century Square Blvd. | Sugar Land, TX 77478 | 281.500.6050

February 28, 2022

City Council
City of Iowa Colony
12003 County Road 65
Iowa Colony, TX 77583

Dear City Council:

This letter, together with the Standard Terms of Engagement, version 2022.2, enclosed herewith, when accepted by you, will constitute the agreement for The Muller Law Group, PLLC (the "Firm"), and any successor in interest, to serve as bond counsel to the City of Iowa Colony, Texas (the "City"). We appreciate the opportunity to represent the City as bond counsel. Our experience has been that it is mutually beneficial to set forth the role and responsibilities of the Firm and the client.

ARTICLE I. CLIENT

The client for this engagement is the City through its City Council. Absent an express agreement to the contrary, the client does not include any employees, officers, directors, affiliates, or agents. If you believe this engagement includes additional entities or persons as our clients, you should inform us immediately.

Copy

This engagement is subject to the Texas Disciplinary Rules of Professional Conduct.

ARTICLE II. SCOPE OF ENGAGEMENT, FEES, AND BILLING TERMS

We will perform services as bond counsel in connection with the authorization, issuance and sale of bonds or certificates of obligation to be issued by the City to finance, acquire and/or construct facilities to serve areas within the City and for other lawful purposes for with the City may issue bonds or certificates of obligation, as may be authorized, and issued hereafter for such purposes (the "Bonds"). Our services as bond counsel will include:

- Attend all meetings in connection with the planning and authorization of such Bond issue, including consultation on federal income tax matters;
- Review of the official statement prepared by the City's underwriters, financial advisors, disclosure or securities counsel in connection with the sale of the Bonds, but only for the limited purposes described below;
- Prepare the resolution or ordinance authorizing issuance of the Bonds, together with all other legal documents comprising the transcript of legal proceedings for authorization and issuance of the Bonds;

- Prepare and submit to the Attorney General of Texas a transcript of legal proceedings for the Bonds to obtain the approval of the Attorney General and registration of the Bonds by the Comptroller of Public Accounts of Texas;
- Prepare and file legal documents required under federal income tax law for the Bonds, and prepare and deliver to the City a "Letter of Instructions" with respect to the federal income tax treatment of bond proceeds;
- Supervise the printing of the Bonds and their delivery to the initial purchaser; and
- If appropriate, deliver at closing our approving opinion as to the validity of the Bonds under Texas law and the exclusion of interest on the Bonds from gross income of the holders under federal income tax law.

It is also our understanding that the City will employ a recognized investment banking firm to serve as financial advisor to the City and that said firm will be responsible for advising the City concerning the sale of the Bonds and will assist the City and disclosure counsel in the preparation of an Official Notice of Sale and an Official Statement (the "Offering Documents") in connection with each issue of the Bonds offered for sale to the public unless such Offering Documents are not legally required.

In our capacity as bond counsel, we will review those portions of the Offering Documents that describe the City's legal authority for issuance of the Bonds to determine whether such description conforms to and fairly summarizes relevant provisions of Texas law. We will also review those portions of the Offering Documents describing the resolution or ordinance of the City authorizing the Bonds to determine whether such description fairly summarizes the provisions of said resolution or ordinance. In addition, if requested, we will review such other portions of the Offering Documents that describe matters of law and legal relationships of the City about which we have knowledge. We will not, however, undertake to independently verify any of the factual information contained in the Offering Documents, nor will we conduct any investigation of the affairs of the City for the purpose of passing on the accuracy or completeness of the Offering Documents. Since our role in connection with the Offering Documents will be of an advisory rather than an investigatory nature, said documents will contain a statement describing our services as outlined above and stating that our limited participation may not be relied upon as an assumption of responsibility for, or an expression of opinion of any kind with regard to, the accuracy or completeness of the information contained therein.

Copy

The services outlined above do not include such matters as services as disclosure counsel in connection with this issue, work on post-closing federal tax or disclosure issues, obtaining IRS rulings or clarifications of federal tax law, presentations to rating agencies or bond insurers, or "blue sky" or the various securities laws, including the Securities Act of 1933 and the Securities Exchange Act of 1934, and the securities laws of the various states in which the Bonds may be sold. We will be pleased to provide legal services in connection with any matters not included above, but we believe that such additional services, if requested by the City, should be performed on mutually agreeable terms, to be set forth in a separate letter of engagement.

Fees and Billing

Fees for our services as bond counsel, as described in this Article shall be as follows:

In connection with the authorization, issuance, and sale of new money bonds or certificates of obligation, the City will pay us, from the proceeds of sale of each issue or installment of the bonds or certificates of obligation, the following:

a) an amount equal to 0.125% of the principal amount of the bonds or certificates of obligation.

The above fee shall be applicable to each separate issue or installment of new money bonds or certificates of obligation but shall only be due with respect to bonds or certificates actually issued, sold, and delivered. Our fee for bond counsel services for any separate issue or installment of the Bonds shall not be less than $29,500, plus charges for actual expenses incurred.

For our services as bond counsel in connection with the authorization, issuance, and sale of refunding bonds or certificates, or anticipation notes (or other short-term financing), the City will pay us, from the proceeds of sale of each issue or installment of the refunding bonds or certificates, or anticipation notes, an amount equal to 0.1% of the principal amount (or maturity amount in the event of premium capital appreciation bonds or premium compound interest bonds) of the refunding bonds or certificates, or anticipation notes, but in no event less than $29,500 for refunding bonds or certificates and $25,000 for anticipation notes, plus charges for actual expenses incurred.

Fees for bond counsel services will be earned upon and due upon the closing of the transaction.

Copy

ARTICLE III. GENERAL UNDERSTANDINGS

To enable us to render effectively the legal services contemplated, the City has agreed to disclose fully and accurately all facts and keep us informed of all developments relating to our representation. We necessarily must rely on the accuracy and completeness of the facts and information you and your agents provide to us. To the extent it is necessary for the City's representatives to attend meetings in connection with this matter, we will attempt to schedule them so that the convenience of those representatives can be served.

ARTICLE IV. TERMINATION

Either party may terminate this agreement at any time, and we would expect to be paid all fees and expenses incurred to the date of termination and thereafter as reasonably necessary for the orderly transition of your representation. Bond Counsel fees for bond issues or certificates of obligation then in process at the time of termination will be pro-rated based on the level of progress on that bond issue or certificate of obligation. Twenty-five percent of the fee shall be assessed if a preliminary official statement has been approved or if competitive bids have been solicited by the City's financial advisor or placement agent for such transaction.

Upon termination of this agreement, we will transfer all your documents and files (whether paper or electronic) to you or your designee, all in accordance with our professional obligations. We will return those documents to you promptly after our receipt of payment for outstanding fees and charges. We may copy and retain any of your files, at our expense.

***

We are pleased to have this opportunity to be of service and to work with you. If the foregoing correctly reflects your understanding of the terms and conditions of our representation, please so indicate by executing and returning the enclosed copy of this letter in the space provided below.

Very truly yours,

THE MULLER LAW GROUP, PLLC,
a Texas professional limited liability company

Copy

By:_____
Nancy Carter, Member

Enclosures:
Standard Terms of Engagement Version 2022.2

APPROVED and ACCEPTED on _____, 20___

CITY OF IOWA COLONY

By:_____
Michael Byrum-Bratsen, Mayor

MULLER
LAW GROUP
A PROFESSIONAL LIMITED LIABILITY COMPANY

202 Century Square Blvd. | Sugar Land, TX 77478 | 281.500.6050

STANDARD TERMS OF ENGAGEMENT FOR LEGAL SERVICES (VERSION 2022.2)

This document sets forth the standard terms of The Muller Law Group, PLLC ("Firm") with respect to the Firm's engagement as your attorneys and is intended to be an integral part of the engagement letter that the Firm has with you as its client. These terms may only be modified by mutual written agreement or by thirty days advance written notice from the Firm. The engagement letter, as may be modified, together with these standard terms, shall constitute the agreement ("Agreement") between the Firm and the client.

1. Services

As your attorneys, the Firm will provide legal representation and services described under the heading "Scope of Engagement" in the engagement letter. Clients should have a clear understanding of the legal services the Firm will provide. Any uncertainty regarding the Scope of Engagement should be clarified promptly.

During the engagement, the Firm will at all times act on the client's behalf to the best of its ability. Any expressions by the firm concerning the outcome of the client's legal matters are expressions of the best professional judgment of the Firm's attorneys and are not guarantees. Such opinions are necessarily limited by the Firm's knowledge of the facts and are based on the state of the law at the time they are expressed. No representations have been made by the Firm regarding the successful outcome of any matter that may be covered by the Agreement.

Customarily, each client of the Firm is served by a member (i.e., partner) attorney. Subject to the supervisory role of the member attorney, the client's work may be performed by other attorneys and non-attorneys in the Firm. Such delegation may be for the purpose of involving attorneys or non-attorneys with special expertise in a given area or for the purpose of providing services in the most cost-efficient manner and on a timely basis.

2. Fees

Generally, legal matters will be billed one of two ways: (1) hourly, or (2) on a fixed fee basis. For some matters, the fee may be a combination of a fixed fee and an hourly charge. The applicable method of billing is indicated in the engagement letter. Unless otherwise specified in the engagement, services will be billed hourly.

For hourly matters, the Firm's fees are based on the time spent by the attorneys and non-attorneys who work on the matter. The Firm will charge for all time spent representing the client's interests, including, by way of illustration, preparing documents; telephone and office conferences with the clients and the client's representatives, consultants, opposing counsel, governmental and administrative agency officials and staff members, and others; conferences among our legal and non-attorney personnel; factual investigation; legal research; responding to client requests to provide information to the client or other parties; drafting documents; and travel. We will keep accurate records of the time we devote daily to the client's work in units of quarters of an hour or less.

Although we bill hourly, we have found it cost-effective to have our work shared among clients with similar interests and to divide the resulting fees and expenses among such clients benefited by the services. In accepting these Standard Terms of Engagement, you agree to allow the Firm to represent you in matters described in the engagement letter and to participate in the shared billing among our clients when such representation benefits you and other clients of the Firm.

The hourly rates of the Firm's attorneys and non-attorneys are, from time to time, reviewed and adjusted and may be changed to reflect current levels of legal experience, changes in overhead costs, and other factors. The hourly billing rates currently in effect are listed in the attachment to the engagement letter. The Firm will review hourly rates at the end of each year, and clients may anticipate a rate increase of not more than 5% per year.

For fixed fee matters, the engagement letter will set forth both the amount of the fee and payment terms.

The Firm will charge a fee as described in Section 9 hereof for each Public Information Act request under Chapter 552 of the Texas Government Code ("PIA Request") received and handled with respect to a client. If, in the best professional judgment of the Firm's attorneys, the Firm thinks that an exception to a PIA Request applies, the Firm will request an opinion from the Attorney General of the State of Texas, pursuant to Section 552.301 of the Texas Government Code

The Firm's billing rates are based on the assumption of prompt payment. Consequently, unless other arrangements are made, fees for services and other changes will be billed monthly and are payable within thirty (30) days of receipt.

3. Expenses

Generally, the Firm will not charge clients for in-house expenses incurred in connection with representation. However, the Firm will charge for actual out-of-pocket expenses, including, but not limited to, filing fees, third party copy jobs, couriers and express deliveries, travel expenses, publication, recordation, and filing fees,

Copy

records retrieval, governmental records, title reports and records, and market analysis. The Firm will charge actual cost, with no markup, for these services.

Unless special arrangements are otherwise made, fees and expenses of others will be the responsibility of, and billed directly to, the client. Further, all third-party invoices in excess of $500 may be forwarded to the client for direct payment.

4. Limitations of Representation

The Firm represents only the entity(s) or person(s) named in the engagement letter as the client(s), and representation extends only to the matters specifically listed in the engagement letter, as it may be amended by mutual written agreement or thirty days advance written notice from the Firm. If an entity, that is existing or to be formed during representation, is listed as the client, it is agreed that this Firm exclusively represents the entity or entities listed as the client(s), and, absent an express agreement to the contrary, the Firm's representation (and attorney-client relationship) shall not extend to any other person or entity, including officers, shareholders, directors, partners, members, managers, owners, parent companies, subsidiaries, affiliates, and agents of the client.

In this engagement, multiple parties may be represented by this Firm in this matter and all clients are hereby advised of the hazards of multi-party representation by one attorney. An attorney is required to be impartial and loyal and to exercise independent judgment with regard to the client group as a whole. The attorney may not promote the interest of any one member of a group to the disadvantage of another in the group of clients. An attorney may act as the common representative for more than one person in a common enterprise or endeavor, for so long as their interests do not differ or potentially differ. If multiple parties are being represented in this matter, each party is advised of the benefit of obtaining the services of independent legal counsel to ensure each party's legal interests are best protected. Each party being represented is a client of the Firm and, as long as the clients' interests are not in conflict, the Firm may ethically continue to represent all parties. The client has disclosed no facts that might give rise to a conflict; however, such a possibility always exists. If any conflict does arise, the client does have the obligation to so advise the Firm. In addition to informing this Firm of any conflict which arises between or among you, each client hereby agrees to waive any and all such conflicts and agrees that there will be complete and free disclosure and exchange of all information given to this Firm in the course of this representation.

5. Client Responsibilities

To enable the Firm to render effectively the legal services contemplated, the client must disclose fully and accurately all facts and keep us informed of all developments relating to the Firm's representation. The Firm necessarily must rely on the accuracy and completeness of the facts and information the client or its agents provide to the Firm.

6. Internal Communications

The occasion might arise for the Firm's attorneys providing service to the client to consult with the Firm's own counsel (other firm lawyers who do not perform work for the client with respect to the engagement, or the Firm's own outside counsel) regarding the Firm's representation of the client. To the extent the Firm is addressing the Firm's own rights or responsibilities, a conflict of interest might be deemed to exist between the Firm and the client as to such consultation or resulting communications, particularly if a dispute were ever to arise between the Firm and the client regarding Bonds or matters relating to the issuance of Bonds. The client hereby consents to such consultation occurring and waives any claim of conflict of interest based on such consultation or resulting communications that could otherwise disqualify the Firm from continuing to represent the client or from acting in the Firm's own behalf, even if such consultation or communications might be deemed adverse to the interests of the client. The client acknowledges and agrees that any such consulting and communications are protected from disclosure to the client by the Firm's own attorney-client privilege.

7. Confidentiality

The Firm will preserve the confidentiality of information provided by the client consistent with applicable law, including state laws relating to public information and open meetings and the State Bar Rules (defined below).

The client may specifically authorize the Firm to communicate with and/or provide copies of documents relating to the client's legal matter to other persons, such as financial advisors, engineers, governmental and administrative agency officials and staff members, and other consultants. The client understands that this request may impair the attorney-client privilege provided under state law, and the client agrees that the Firm shall have no responsibility for such loss of privilege based upon the client's request and the attendant communications and disclosures made to other persons as directed by the client.

Unless the client specifically requests otherwise, the client agrees that the Firm may indicate the general nature of the Firm's representation and the client's identity as the Firm's client on any of the Firm's marketing media, material, or other informational materials regarding the Firm and our practice.

8. MLG File and Client File (Cloud Storage, Retention and Disposition)

The Firm's own documents, which it generates or receives in the course of the Firm's representation of the client ("MLG File"), may include the following (paper files, as well as information in other mediums of storage, including voicemail, email, printer files, electronic documents files, facsimiles, dictation recordings, video files, and other formats): work product generated by the Firm, such as notes, draft documents, final documents, and legal memoranda; correspondence (including email, voicemail, and text messages); administrative records; time, billing, and expense records (including draft pre-bills, final bills, and timekeeping records maintained electronically or otherwise); credit and account records; personnel

Copy

and staffing materials; information uploaded and maintained in planning, calendar, and efficiency tools, including, but not limited to, Microsoft Planner, Microsoft Teams, HotDocs, and Microsoft Outlook; and archived documents (with Iron Mountain or otherwise). The documents in the MLG File will be retained or used by the Firm for the Firm's own purposes or destroyed or otherwise disposed of, pursuant to the Firm's internal record retention policy. You do not have a right to the contents of the MLG File except as may be required under State Bar Rules.

The client will have its specific file of documents ("Client File"), of which, the Firm will be the Records Management Officer, pursuant to the terms of the client's official Records Management Policy. The Client File will only include those documents: 1) which the Firm has specifically sent to the Client File, pursuant to its established process; and 2) which are provided to the Firm by the Client and/or its Consultants. The documents in the Client File will be retained or destroyed or otherwise disposed of, pursuant to the client's Records Management Policy.

The Firm accepts no responsibility or liability, however, for any loss or damage caused by failure to retain files and/or documents for any period after such closure, and the Firm is authorized by the client to destroy the files and/or documents after such time.

Upon termination or conclusion of our engagement, the Client File shall be returned to the client, or its designee, promptly upon written request. Except as otherwise noted above, it is the client's obligation to tell the Firm which, if any, of the documents in the Client File the client would like returned. The Firm will assume the client does not wish to have any documents in the Client File returned, unless the client requests to have them returned in writing.

The Firm reserves the right to make, at the Firm's expense, copies of all documents in the Client File. The Firm will maintain the confidentiality of all documents throughout this process.

The Firm recognizes that cloud computing services offer valuable tools to our clients and has entered into arrangements with certain providers of those services to host, store, and process client data. Like online services or platforms, cloud computing services are not immune from security compromises. While the Firm maintains a cyber security risk management program, we cannot guarantee the security of any cloud computing service, including third-party cloud computing services utilized by the Firm. If the client does not wish to have its information and data stored with third-party cloud computing service providers, the client must advise the Firm not to do so. The Firm will not be responsible for security or confidentiality breaches that occur with respect to any cloud computing service.

9. Termination

The attorney-client relationship will be considered terminated upon completion of any services that you have retained the Firm to perform. In addition, the client may terminate the Agreement with the Firm at any time and retain other counsel to represent the client's interests for matters described in all or part of the Agreement. Likewise, the Firm may withdraw from representing the client at any time for any reason.

If this engagement is terminated prior to the completion of services, the client will pay all fees and expenses incurred up to and including the date of termination. If fees are a fixed fee (whether contingent or not), the client will pay the Firm a portion of that fee based on the level of progress as of the date of termination.

10. Disclosure to Governmental Entity Clients

To the extent Client is a governmental entity organized and operating pursuant to the laws of the State of Texas, the Firm certifies and agrees that it (i) does not, nor will not, so long as the Agreement remain in effect, boycott Israel, as such term is defined in Chapter 808, Texas Government Code, (ii) does not engage in business with Iran, Sudan or any foreign terrorist organization pursuant to Subchapter F of Chapter 2252 of the Texas Government Code; (iii) is not defined on a list prepared and maintained under Sections 806.051, 807.051, or 2252.153, Texas Government Code; (iv) does not, nor will not, so long as the Agreement remains in effect, boycott energy companies, as such terms is defined in Chapter 809, Texas Government Code; (v) does not, nor will not, so long as the Agreement remains in effect, have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, as such term is defined in 2274.001(3), Texas Government Code; and (vi) is not (a) owned or controlled by (1) individuals who are citizens of China, Iran, North Korea, Russia or any designated country (as such defined in 113.003, Texas Business & Commerce Code); or (2) a company or other entity, including a governmental entity, that is owned or controlled by citizen of or is directly controlled by the government of China, Iran, North Korea, Russia or any designated country; or (b) headquartered in China, Iran, North Korea, Russia or designated country.

11. State Bar of Texas

This engagement shall be subject to the Texas Disciplinary Rules of Professional Conduct set forth by the State Bar of Texas ("State Bar Rules"). To the extent of any non-waivable conflict between the State Bar Rules and the Agreement, the State Bar Rules will control. The Texas Supreme Court in conjunction with the State Bar of Texas has promulgated "The Texas Lawyer's Creed – A Mandate for Professionalism." Clients can read the contents of the creed online at www.txethics.org. The State Bar investigates and prosecutes professional misconduct committed by Texas attorneys. For more information, clients may call the State Bar of Texas at 1.800.932.1900.

Copy

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS, APPROVING CERTAIN OPIOID SETTLEMENT(S) AND THE TEXAS TERM SHEET; AND CONTAINING RELATED PROVISIONS.

WHEREAS, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the "Texas TermSheet,") approving the allocation of any and all opioid settlement funds within the State of Texas;

WHEREAS, Special Counsel and the State of Texas recommended that the Iowa Colony City Council support the adoption and approval the Texas Term Sheet in its entirety;

WHEREAS, the City of Iowa Colony has already adopted and approved the Texas Term Sheet by Resolution No. 2021-24, passed and approved on November 15, 2021; and

WHEREAS, the City Council now desires to approve an additional settlement agreement in the opioid litigation;

Copy

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

1. The Iowa Colony City Council reaffirms the adoption and approval of the Texas Term Sheet in its entirety.

2. The Iowa Colony City Council now also approves the opioid settlement agreement with Endo/Par approved by the Office of the Attorney General of Texas. The City Council authorizes and directs the City Manager and City Secretary to execute the documents necessary to participate in that settlement, with the approval of the City Attorney.

PASSED AND APPROVED ON FEBRUARY 28, 2022.

CITY OF IOWA COLONY, TEXAS

By: _____
MICHAEL BYRUM-BRATSEN, MAYOR

ATTEST:

_____

KAYLEEN ROSSER,
CITY SECRETARY

Copy

RESOLUTION NO.

A RESOLUTION APPROVING AN ENGAGEMENT AGREEMENT FOR DISCLOSURE COUNSEL AND OTHER MATTERS IN CONNECTION THEREWITH

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF IOWA COLONY, TEXAS §

WHEREAS, the City of Iowa Colony, Texas (the "City") wishes to issue certificates of obligation and may issue bonds or other obligations in the future (collectively, the "Obligations") in order to finance infrastructure to serve the City; and

WHEREAS, the City requires legal counsel which specializes in public finance and is well versed in federal securities law to provide disclosure counsel legal services in connection with its Obligations; and

WHEREAS, the City wishes to engage Norton Rose Fulbright US LLP as disclosure counsel under a contingent fee contract which requires payment of a fee to such counsel only out of the proceeds of such bonds; and

WHEREAS, pursuant to Section 2254.1036, Texas Government Code, the City provided written notice to the public of the pendency of such contract, a copy of which is attached hereto as Exhibit A and

Copy

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS THAT:

1. The recitals made in the Public Notice attached hereto as Exhibit A are hereby found to be true and are adopted as the findings of the City Council.

2. The City Council hereby further finds and declares: (i) there is a substantial need for the legal services to be provided by Norton Rose Fulbright US, LLP; (ii) the legal services cannot be adequately performed by the attorneys and supporting personnel of the City; and (iii) the legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained and/or because the City does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

3. Based on the foregoing, the City Council hereby approves entering into an engagement letter with Norton Rose Fulbright US LLP in substantially the form presented and authorizes its execution.

4. It is officially found, determined and declared that the meeting at which this Resolution was adopted was open to the public and public notice of the time, place, and subject matter of

this meeting and the notice required by Section 2254.1036, Texas Government Code, was given, all as required by Chapter 551, Texas Government Code.

5. This resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, ADOPTED AND APPROVED on this the 28th day of February, 2022.

CITY OF IOWA COLONY, TEXAS

_____

Mayor

ATTEST:

_____

City Secretary

Copy

Exhibit A

TEXAS SUBDIVISION AND SPECIAL DISTRICT ELECTION AND RELEASE FORM

This Election and Release Form for Texas Participating Subdivisions[1] resolves opioid-related Claims against Endo/Par under the terms and conditions set forth in the Endo/Par Texas State-Wide Opioid Settlement Agreement between Endo/Par, the State of Texas, and the Counties of Dallas, Bexar, Harris and Tarrant (the "Agreement"), the provisions of which are here incorporated by reference in their entirety. Upon executing this Election and Release Form, a Participating Subdivision agrees that, in exchange for the consideration described in the Agreement, the Participating Subdivision is bound by all the terms and conditions of the Agreement, including but not limited to the Release found in Section VII of the Agreement and the provisions concerning participation by Subdivisions or Special Districts in Section VIII, and the Participating Subdivision and its signatories expressly represent and warrant on behalf of themselves that they have, or will have obtained on or before the Effective Date or on or before the execution of this Election and Release Form if executed after the Effective Date, the authority to settle and release, to the maximum extent of the Subdivision's and Special District's power, all Released Claims related to Covered Conduct. If this Election and Release Form is executed on or before the Initial Participation Date, the Participating Subdivision shall dismiss Endo/Par and all other Released Entities with prejudice from all pending cases in which the Participating Subdivision has asserted Covered Claims against Endo/Par or a Released Entity no later than the Initial Participation Date. If this Election and Release Form is executed after the Initial Participation Date, the Participating Subdivision shall dismiss Endo/Par and all other Released

Copy

[1] The Agreement defines a "Participating Subdivision" as a Subdivision or Special District that signs this Election and Release Form and meets the requirements for becoming a Participating Subdivision under subsection VIII.A. of the Agreement.

Entities with prejudice from all pending cases in which the Participating Subdivision has asserted Covered Claims against Endo/Par or a Released Entity concurrently with the execution of this form. By executing this Election and Release Form, the Participating Subdivision submits to the jurisdiction of the Honorable Robert Schaffer, *In Re: Texas Opioid Litigation*, MDL No. 18-0358, Master File No. 2018-63587, in the 152nd Judicial District Court, Harris County, Texas.

Dated: _____

Texas Subdivision Name: _____

By: _____
[NAME]
[TITLE]
[ADDRESS]
[TELEPHONE]
[EMAIL ADDRESS]

Copy

ADICO
CONSULTING ENGINEERS

Thursday, February 17, 2022

Mayor Michael Byrum-Bratsen
City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Meridiana Section 80A- Storm Water Facilities and Paving
Recommendation for Final Acceptance of Facilities
City of Iowa Colony Project No. CSW 180314-0221
Adico, LLC Project No. 16007-4-135

Dear Mayor Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of the Meridiana Section 80A Storm Water Facilities and Paving. City Council approved this project into the One Year Maintenance Period on or about September 17, 2018.

The anniversary inspection was completed on October 4, 2021, with all outstanding punch list items completed February 1, 2022. Therefore, Adico, LLC recommends final acceptance of facilities. The effective date shall be February 28, 2022, if approved by City Council.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the one-year maintenance acceptance package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond
3. As-Builts (cover only)

Copy

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh Ho, P.E.
Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-4-135

TBPE No. F-726
TBPLS No. 10092300

Engineers Certificate of Completion

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ENGINEER'S CERTIFICATE OF COMPLETION OF WATER DISTRICT PROJECT

Name of District:
Brazoria County Municipal Utility District No. 55

Owner of property, if other than District:
GR-M1, Ltd.

Kind of project, contract identification:
Water Distribution, Wastewater Collection, Storm Water Facilities, and Paving to serve Meridiana, Section Eighty (Portion 80A only)

Name of contractor:
Principal Services, Ltd.

Name of consulting engineer:
Edminster, Hinshaw, Russ & Associates, Inc.

Address of consulting engineer:
10555 Westoffice Drive, Houston, Texas 77042

Copy

I certify this project was at least 95% complete on August 27, 2018; that the project was under continual observation; that all observation of the work was performed by or under the supervision of Ben Satterwhite, P.E., a Licensed Professional Engineer; that to the best of my knowledge the project was in accordance with and includes all items in plans and specifications approved by all authorities having jurisdiction; and "record drawings" will be furnished to the District.

Signed and Sealed,

Ben Satterwhite, P.E.
Registration No. 111685

STATE OF TEXAS
BENJAMIN K. SATTERWHITE
111685
LICENSED
PROFESSIONAL ENGINEER

7.7.18

P:\081-011-80\Construction\Utilities (DST)\Closeout Docs\Engineers Certificate of Completion - Meridiana, Sec 80.doc

EHRA

EHRA PROJECT NO.: 081-011-80

DATE: 2-1-22

FINAL INSPECTION REPORT

- [ ] EHRA – ONE YEAR MAINTENANCE
- [x] EHRA – CITY OF IOWA COLONY
- [ ] HARRIS COUNTY PUBLIC INFRASTRUCTURE DEPARTMENT
- [ ] EHRA – CITY OF MANVEL
- [ ] TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
- [ ] BRAZORIA COUNTY DRAINAGE DISTRICT 5

PROJECT NAME: MERIDIANA, SECTION 80 1 YEAR RE-INSPECTION

ATTENDEES NAME	COMPANY	PHONE NO.
Dave Pavini	EHRA	832-580-9996
Israel Wong	Adico/COIC	832-741-0058
Celso Garcia	Principal	832-600-2150

Copy

NO.	DEFICIENCIES
****	All deficiencies corrected to satisfaction.

CITY OF IOWA COLONY
MAINTENANCE BOND

1. The following terms shall have the following meanings in this document:

a. Bond Number: **4416679A**

b. Principal: **Principal Services Ltd.**

c. Surety:

Name: **SureTec Insurance Company**

State Where Surety is Incorporated: **Iowa**

d. Obligee(s): **Brazoria County Municipal Utility District No. 55; and the City of Iowa Colony, Texas** (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Obligee, so leave this line blank.)

If there is more than one Obligee, then the terms "Obligee" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

Copy

e. Contract: The Contract described as follows:

Date: February 26, 2018
Parties: Principal and **Brazoria County MUD No. 55**
Subdivision involved: **Meridiana Section 80A**

General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.): **Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana, Section Eighty-A**

This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

f. Bond Amount: $**1,404,669.60**

g. Maintenance Period:

Starting Date **of Maintenance Period**: _____
(Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

Ending Date of Maintenance Period: one year after the Starting Date

h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.

2. Principal has entered into the Contract.

3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Obligee, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.

4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligee any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.

5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.

6. If there is more than Obligee under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

DATED: _____

Copy

SURETY: **SureTec Insurance Company**

By: _____
Signature

Kelly J. Brooks
Print or Type Signer's Name

Attorney-in-fact
Signer's Title

PRINCIPAL: **Principal Services Ltd.**

By: _____
Signature

Kevin Burns
Print or Type Signer's Name

C.O.O.
Signer's Title

ATTACH POWER OF ATTORNEY

POA #: 4221062

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

C. A. McClure, Kelly J. Brooks, Kenneth L. Meyer, Michelle Ulery

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Fifteen Million and 00/100 Dollars ($15,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the CEO, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. *(Adopted at a meeting held on 20th of April, 1999.)*

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its CEO, and its corporate seal to be hereto affixed this 2nd day of July, A.D. 2018.

Copy

SURETEC INSURANCE COMPANY

By: _____

John Knox Jr., CEO

State of Texas ss:
County of Harris

On this 2nd day of July, A.D. 2018 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is CEO of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.

XENIA CHAVEZ
Notary Public, State of Texas
Comm. Expires 09-10-2020
Notary ID 129117659

_____
Xenia Chavez, Notary Public
My commission expires September 10, 2020

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this _____ day of _____, _____, A.D.

_____
M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:30 am and 5:00 pm CST.

SureTec Insurance Company

THIS BOND RIDER CONTAINS IMPORTANT COVERAGE INFORMATION

Statutory Complaint Notice/Filing of Claims

To obtain information or make a complaint: You may call the Surety's toll free telephone number for information or to make a complaint or file a claim at: 1-866-732-0099. You may also write to the Surety at:

SureTec Insurance Company
9737 Great Hills Trail, Suite 320
Austin, Tx 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252-3439. You may write the Texas Department of Insurance at

PO Box 149104
Austin, TX 78714-9104
Fax#: 512-475-1771
Web: http://www.tdi.state.tx.us
Email: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

Terrorism Risks Exclusion

The Bond to which this Rider is attached does not provide coverage for, and the surety shall not be liable for, losses caused by acts of terrorism, riot, civil insurrection, or acts of war.

Copy

Exclusion of Liability for Mold, Mycotoxins, Fungi & Environmental Hazards

The Bond to which this Rider is attached does not provide coverage for, and the surety thereon shall not be liable for, molds, living or dead fungi, bacteria, allergens, histamines, spores, hyphae, or mycotoxins, or their related products or parts, nor for any environmental hazards, bio-hazards, hazardous materials, environmental spills, contamination, or cleanup, nor the remediation thereof, nor the consequences to persons, property, or the performance of the bonded obligations, of the occurrence, existence, or appearance thereof.

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 55

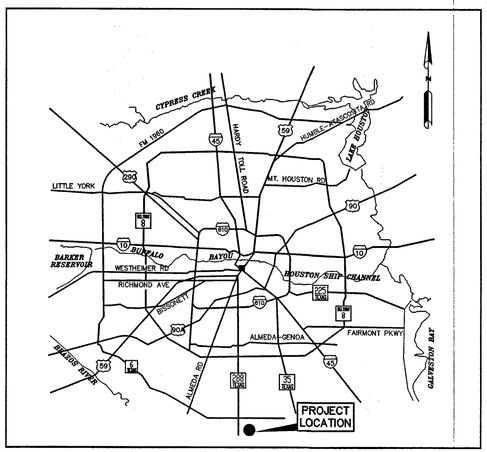
PLANS FOR CONSTRUCTION OF PROPOSED WATER DISTRIBUTION, WASTEWATER COLLECTION, PAVING AND STORM WATER FACILITIES TO SERVE

MERIDIANA SECTION EIGHTY

IOWA COLONY, TEXAS

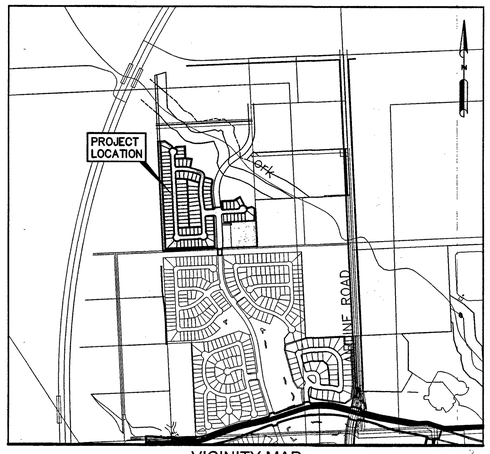
MERIDIANA SECTION EIGHTY P-3612

"AS BUILT"



LOCATION MAP

N.T.S.



VICINITY MAP

SCALE: 1"=1000'

KEY MAP NO. 692 K,L

INDEX TO DRAWINGS

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DECEMBER 2017

IOWA COLONY
Texas

Completed 8-21-18
R. Kingery
C. Kalama
T. Kelsey

CITY OF IOWA COLONY
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.

MICHAEL HOUSTON, MAYOR — DATE 1-15-18
DINH HO, P.E., CITY ENGINEER — DATE 1/15/18

IOWA COLONY Texas

NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS REQUEST 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST – STOP CALL
Texas One Call System
1-800-344-8377
(713)223-4567 (IN HOUSTON)

EHRA
10555 Westoffice Drive
Houston, Texas 77042
713.784.4500
EHRAinc.com
TBPE No. F-726

STATE OF TEXAS
BENJAMIN K. SATTERWHITE
111685
LICENSED PROFESSIONAL ENGINEER
12.29.17

NOTE:
CONTRACTOR SHALL NOTIFY THE CITY OF IOWA COLONY c/o Adico, LLC (Dinh V. Ho, P.E. @ 832-895-1093 OR dinh@adico-llc.com) 48 HOURS BEFORE COMMENCING WORK.

CIOC # EPR2-170920-0545
Adico # 16007-3-077

JOB NO. 081-011-80

P-3612

ADICO
CONSULTING ENGINEERS

Thursday, February 17, 2022

Mayor Michael Byrum-Bratsen
City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Meridiana Section 80A- Water Distribution and Wastewater Collection
Recommendation for Final Approval of Facilities
City of Iowa Colony Project No. CSW 180314-0221
Adico, LLC Project No. 16007-4-135

Dear Mayor Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of the Meridiana Section 80A Water Distribution and Wastewater Collection. City Council approved this project into the One Year Maintenance Period on or about September 17, 2018.

The anniversary inspection was completed on October 4, 2021, with all outstanding punch list items completed February 1, 2022. Therefore, Adico, LLC recommends final approval of facilities. The effective date shall be February 28, 2022, if approved by City Council.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the one-year maintenance approval package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond
3. As-Builts (cover only)

Copy

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-4-135

TBPE No. F-726
TBPLS No. 10092300

Engineers Certificate of Completion

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ENGINEER'S CERTIFICATE OF COMPLETION OF WATER DISTRICT PROJECT

Name of District:
Brazoria County Municipal Utility District No. 55

Owner of property, if other than District:
GR-M1, Ltd.

Kind of project, contract identification:
Water Distribution, Wastewater Collection, Storm Water Facilities, and Paving to serve Meridiana, Section Eighty (Portion 80A only)

Name of contractor:
Principal Services, Ltd.

Name of consulting engineer:
Edminster, Hinshaw, Russ & Associates, Inc.

Address of consulting engineer:
10555 Westoffice Drive, Houston, Texas 77042

Copy

I certify this project was at least 95% complete on August 27, 2018; that the project was under continual observation; that all observation of the work was performed by or under the supervision of Ben Satterwhite, P.E., a Licensed Professional Engineer; that to the best of my knowledge the project was in accordance with and includes all items in plans and specifications approved by all authorities having jurisdiction; and "record drawings" will be furnished to the District.

Signed and Sealed,

Ben Satterwhite, P.E.
Registration No. 111685

STATE OF TEXAS
BENJAMIN K. SATTERWHITE
111685
LICENSED
PROFESSIONAL ENGINEER

7.7.18

P:\081-011-80\Construction\Utilities (DST)\Closeout Docs\Engineers Certificate of Completion - Meridiana, Sec 80.doc

EHRA

EHRA PROJECT NO.: 081-011-80

DATE: 2-1-22

FINAL INSPECTION REPORT

- [ ] EHRA – ONE YEAR MAINTENANCE
- [x] EHRA – CITY OF IOWA COLONY
- [ ] HARRIS COUNTY PUBLIC INFRASTRUCTURE DEPARTMENT
- [ ] EHRA – CITY OF MANVEL
- [ ] TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
- [ ] BRAZORIA COUNTY DRAINAGE DISTRICT 5

PROJECT NAME: MERIDIANA, SECTION 80 1 YEAR RE-INSPECTION

ATTENDEES NAME	COMPANY	PHONE NO.
Dave Pavini	EHRA	832-580-9996
Israel Wong	Adico/COIC	832-741-0058
Celso Garcia	Principal	832-600-2150

Copy

NO.	DEFICIENCIES
****	All deficiencies corrected to satisfaction.

CITY OF IOWA COLONY
MAINTENANCE BOND

1. The following terms shall have the following meanings in this document:

a. Bond Number: **4416679A**

b. Principal: **Principal Services Ltd.**

c. Surety:

Name: **SureTec Insurance Company**

State Where Surety is Incorporated: **Iowa**

d. Obligee(s): **Brazoria County Municipal Utility District No. 55; and the City of Iowa Colony, Texas** (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Obligee, so leave this line blank.)

If there is more than one Obligee, then the terms "Obligee" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

Copy

e. Contract: The Contract described as follows:

Date: February 26, 2018
Parties: Principal and **Brazoria County MUD No. 55**
Subdivision involved: **Meridiana Section 80A**

General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.): **Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana, Section Eighty-A**

This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

f. Bond Amount: $**1,404,669.60**

g. Maintenance Period:

Starting Date **of Maintenance Period**: _____
(Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

Ending Date of Maintenance Period: one year after the Starting Date

h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.

2. Principal has entered into the Contract.

3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Obligee, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.

4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligee any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.

5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.

6. If there is more than Obligee under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

DATED: _____

Copy

SURETY: **SureTec Insurance Company**

By: _____
Signature

Kelly J. Brooks
Print or Type Signer's Name

Attorney-in-fact
Signer's Title

PRINCIPAL: **Principal Services Ltd.**

By: _____
Signature

Kevin Burns
Print or Type Signer's Name

C.O.O.
Signer's Title

ATTACH POWER OF ATTORNEY

POA #: 4221062

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

C. A. McClure, Kelly J. Brooks, Kenneth L. Meyer, Michelle Ulery

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Fifteen Million and 00/100 Dollars ($15,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the CEO, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. *(Adopted at a meeting held on 20th of April, 1999.)*

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its CEO, and its corporate seal to be hereto affixed this 2nd day of July, A.D. 2018.

Copy

SURETEC INSURANCE COMPANY

By: _____

John Knox Jr., CEO

State of Texas ss:
County of Harris

On this 2nd day of July, A.D. 2018 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is CEO of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.

XENIA CHAVEZ
Notary Public, State of Texas
Comm. Expires 09-10-2020
Notary ID 129117659

_____
Xenia Chavez, Notary Public
My commission expires September 10, 2020

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this _____ day of _____, _____, A.D.

_____
M. Brent Beaty, Assistant Secretary

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BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 55

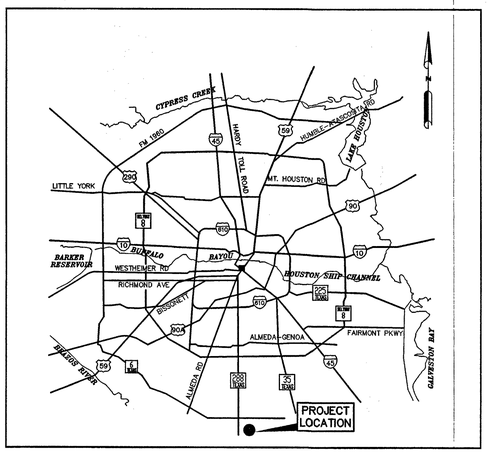
PLANS FOR CONSTRUCTION OF PROPOSED WATER DISTRIBUTION, WASTEWATER COLLECTION, PAVING AND STORM WATER FACILITIES TO SERVE

MERIDIANA SECTION EIGHTY

IOWA COLONY, TEXAS

MERIDIANA SECTION EIGHTY P-3612

"AS BUILT"



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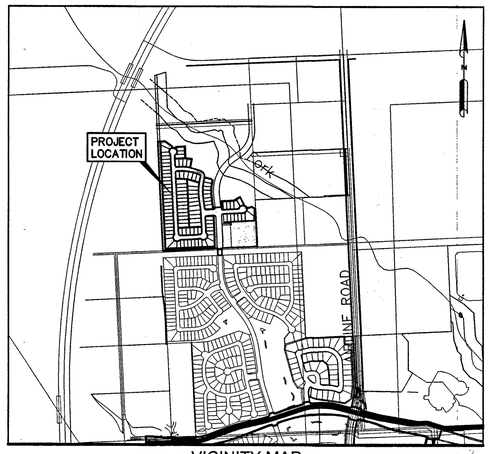

VICINITY MAP

SCALE: 1"=1000'

KEY MAP NO. 692 K,L

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DECEMBER 2017

IOWA COLONY
Texas

Completed 8-21-18
R. Kingery
C. Kalama
T. Kelsey

CITY OF IOWA COLONY
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.

MICHAEL HOUSTON, MAYOR — DATE 1-15-18
DINH HO, P.E., CITY ENGINEER — DATE 1/15/18

IOWA COLONY Texas

NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

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CIOC # EPR2-170920-0545
Adico # 16007-3-077

JOB NO. 081-011-80

P-3612

ADICO
CONSULTING ENGINEERS

Thursday, February 17, 2022

Mayor Michael Byrum-Bratsen
City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Meridiana Section 80B- Storm Water Facilities and Paving
Recommendation for Final Acceptance of Facilities
City of Iowa Colony Project No. CSW 180314-0221
Adico, LLC Project No. 16007-4-135

Dear Mayor Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of the Meridiana Section 80B Storm Water Facilities and Paving. City Council approved this project into the One Year Maintenance Period on or about December 16, 2019.

The anniversary inspection was completed on October 4, 2021, with all outstanding punch list items completed February 1, 2022. Therefore, Adico, LLC recommends final acceptance of facilities. The effective date shall be February 28, 2022, if approved by City Council.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the one-year maintenance acceptance package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond
3. As-Builts (cover only)

Copy

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-4-135

EHRA

TBPE No. F-726
TBPLS No. 10092300

Engineers Certificate of Completion

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ENGINEER'S CERTIFICATE OF COMPLETION OF WATER DISTRICT PROJECT

Name of District:
Brazoria County Municipal Utility District No. 55

Owner of property, if other than District:
GR-M1, Ltd.

Kind of project, contract identification:
Water Distribution, Wastewater Collection, Storm Water Facilities, and Paving to serve Meridiana, Section Eighty (Portion 80B only)

Name of contractor:
Principal Services, Ltd.

Name of consulting engineer:
Edminster, Hinshaw, Russ & Associates, Inc.

Address of consulting engineer:
10555 Westoffice Drive, Houston, Texas 77042

Copy

I certify this project was at least 95% complete on November 26, 2019; that the project was under continual observation; that all observation of the work was performed by or under the supervision of Jared R. Bowlin, P.E., a Licensed Professional Engineer; that to the best of my knowledge the project was in accordance with and includes all items in plans and specifications approved by all authorities having jurisdiction; and "record drawings" will be furnished to the District.

Signed and Sealed,

Jared R.Bowlin, P.E.
Registration No. 103429

STATE OF TEXAS
JARED R. BOWLIN
103429
LICENSED
PROFESSIONAL ENGINEER

P:\081-011-80\Construction\Utilities (DST)\Closeout Docs\Engineers Certificate of Completion - Meridiana, Sec 80B.doc

EHRA

EHRA PROJECT NO.: 081-011-80

DATE: 2-1-22

FINAL INSPECTION REPORT

- [ ] EHRA – ONE YEAR MAINTENANCE
- [x] EHRA – CITY OF IOWA COLONY
- [ ] HARRIS COUNTY PUBLIC INFRASTRUCTURE DEPARTMENT
- [ ] EHRA – CITY OF MANVEL
- [ ] TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
- [ ] BRAZORIA COUNTY DRAINAGE DISTRICT 5

PROJECT NAME: MERIDIANA, SECTION 80 1 YEAR RE-INSPECTION

ATTENDEES NAME	COMPANY	PHONE NO.
Dave Pavini	EHRA	832-580-9996
Israel Wong	Adico/COIC	832-741-0058
Celso Garcia	Principal	832-600-2150

Copy

NO.	DEFICIENCIES
****	All deficiencies corrected to satisfaction.

CITY OF IOWA COLONY
MAINTENANCE BOND

1. The following terms shall have the following meanings in this document:

   a. Bond Number: **4416679B**

   b. Principal: **Principal Services Ltd.**

   c. Surety:

      Name: **SureTec Insurance Company**

      State Where Surety is Incorporated: **Iowa**

   d. Obligee(s): **Brazoria County Municipal Utility District No. 55; and the City of Iowa Colony, Texas** (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Obligee, so leave this line blank.)

      If there is more than one Obligee, then the terms "Obligee" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

   e. Contract: The Contract described as follows:

      Date: _____
      Parties: Principal and **Brazoria County MUD No. 55**
      Subdivision involved: **Meridiana Section 80B**

      General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.): **Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana, Section Eighty - B**

      This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

   f. Bond Amount: $ **433,615.80**

   g. Maintenance Period:

      Starting Date **of Maintenance Period**: _____
      (Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

      Ending Date of Maintenance Period: one year after the Starting Date

Copy

h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.

2. Principal has entered into the Contract.

3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Obligee, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.

4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligee any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.

5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.

6. If there is more than Obligee under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

DATED: _____

Copy

SURETY: **SureTec Insurance Company**	PRINCIPAL: **Principal Services Ltd.**
By: _____ Signature	By: _____ Signature
Kelly J. Brooks Print or Type Signer's Name	**Kevin Burns** Print or Type Signer's Name
Attorney-in-fact Signer's Title	**C.O.O.** Signer's Title

ATTACH POWER OF ATTORNEY

POA #: 4221062

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

C. A. McClure, Kelly J. Brooks, Kenneth L. Meyer, Michelle Ulery

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Fifteen Million and 00/100 Dollars ($15,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the CEO, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. *(Adopted at a meeting held on 20th of April, 1999.)*

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its CEO, and its corporate seal to be hereto affixed this 2nd day of July, A.D. 2018.

Copy

SURETEC INSURANCE COMPANY

By: _____

John Knox Jr., CEO

State of Texas ss:
County of Harris

On this 2nd day of July, A.D. 2018 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is CEO of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.

XENIA CHAVEZ
Notary Public, State of Texas
Comm. Expires 09-10-2020
Notary ID 129117659

_____
Xenia Chavez, Notary Public
My commission expires September 10, 2020

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this _____ day of _____, _____, A.D.

_____
M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:30 am and 5:00 pm CST.

SureTec Insurance Company

THIS BOND RIDER CONTAINS IMPORTANT COVERAGE INFORMATION

Statutory Complaint Notice/Filing of Claims

To obtain information or make a complaint: You may call the Surety's toll free telephone number for information or to make a complaint or file a claim at: 1-866-732-0099. You may also write to the Surety at:

SureTec Insurance Company
9737 Great Hills Trail, Suite 320
Austin, Tx 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252-3439. You may write the Texas Department of Insurance at

PO Box 149104
Austin, TX 78714-9104
Fax#: 512-475-1771
Web: http://www.tdi.state.tx.us
Email: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

Terrorism Risks Exclusion

The Bond to which this Rider is attached does not provide coverage for, and the surety shall not be liable for, losses caused by acts of terrorism, riot, civil insurrection, or acts of war.

Copy

Exclusion of Liability for Mold, Mycotoxins, Fungi & Environmental Hazards

The Bond to which this Rider is attached does not provide coverage for, and the surety thereon shall not be liable for, molds, living or dead fungi, bacteria, allergens, histamines, spores, hyphae, or mycotoxins, or their related products or parts, nor for any environmental hazards, bio-hazards, hazardous materials, environmental spills, contamination, or cleanup, nor the remediation thereof, nor the consequences to persons, property, or the performance of the bonded obligations, of the occurrence, existence, or appearance thereof.

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 55

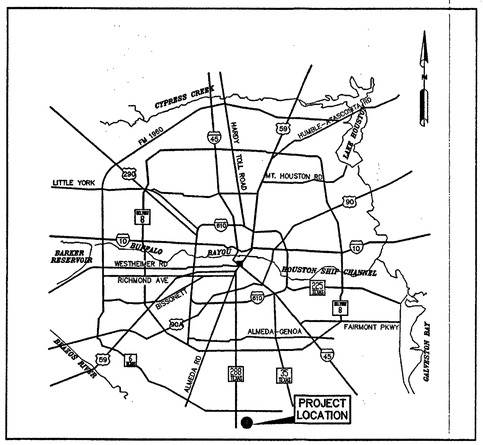
PLANS FOR CONSTRUCTION OF PROPOSED WATER DISTRIBUTION, WASTEWATER COLLECTION, PAVING AND STORM WATER FACILITIES TO SERVE

MERIDIANA SECTION EIGHTY

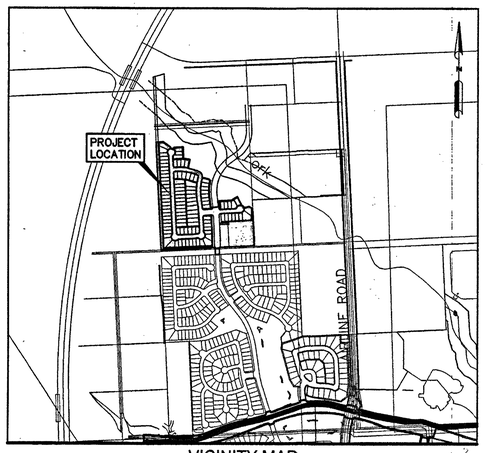
IOWA COLONY, TEXAS

MERIDIANA SECTION EIGHTY P-3612

"AS BUILT"
Updated 12/10/2019
T. Arnold



LOCATION MAP
N.T.S.



VICINITY MAP
SCALE: 1"=1000'

KEY MAP NO. 692 K,L

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	GENERAL:
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2	GENERAL NOTES
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4	WATER DISTRIBUTION AND WASTEWATER COLLECTION SYSTEMS
5	STORM WATER POLLUTION PREVENTION PLAN
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7	DISCOVERY DRIVE – STA 45+00 TO 51+50
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15	24" STORM SEWER – STA 0+50 TO END
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17	WATER DETAILS (SHEET 2 OF 2)
18	SANITARY SEWER DETAILS (SHEET 1 OF 2)
19	SANITARY SEWER DETAILS (SHEET 2 OF 2)
20	SANITARY SEWER DETAILS (SHEET 3 OF 3)
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22	STORM SEWER DETAILS (SHEET 2 OF 3)
23	STORM SEWER DETAILS (SHEET 3 OF 3)
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28	PAVING DETAILS (SHEET 4 OF 4)
29	STORM WATER POLLUTION PREVENTION DETAILS (SHEET 1 OF 2)
30	STORM WATER POLLUTION PREVENTION DETAILS (SHEET 2 OF 2)

COPY

DECEMBER 2017

IOWA COLONY
Texas

Completed 8-21-18
R. Kingery
C. Kalama
T. Kelsey
Updated 12/10/2019
T. Arnold

CITY OF IOWA COLONY
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.

MICHAEL HOUSTON, MAYOR — DATE 1-15-18
DINH HO, P.E., CITY ENGINEER — DATE 1/15/18

IOWA COLONY
Texas

NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS REQUEST 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST – STOP CALL
Texas One Call System
1-800-344-8377
(713)223-4567 (IN HOUSTON)

EHRA
10555 Westoffice Drive
Houston, Texas 77042
713.784.4500
EHRAinc.com
TBPE No. F-726

STATE OF TEXAS
BENJAMIN K. SATTERWHITE
111685
LICENSED PROFESSIONAL ENGINEER
12.29.17

NOTE:
CONTRACTOR SHALL NOTIFY THE CITY OF IOWA COLONY c/o Adico, LLC (Dinh V. Ho, P.E. @ 832-895-1093 OR dinh@adico-llc.com) 48 HOURS BEFORE COMMENCING WORK.

CIOC # EPR2-170920-0545
Adico # 16007-3-077

JOB NO. 081-011-80

P-3612

ADICO
CONSULTING ENGINEERS

Thursday, February 17, 2022

Mayor Michael Byrum-Bratsen
City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Meridiana Section 80B- Water Distribution and Wastewater Collection Facilities
Recommendation for Final Approval of Facilities
City of Iowa Colony Project No. CSW 180314-0221
Adico, LLC Project No. 16007-4-135

Dear Mayor Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of the Meridiana Section 80B Water Distribution and Wastewater Collection Facilities. City Council approved this project into the One Year Maintenance Period on or about December 16, 2019.

The anniversary inspection was completed on October 4, 2021, with all outstanding punch list items completed February 1, 2022. Therefore, Adico, LLC recommends final approval of facilities. The effective date shall be February 28, 2022, if approved by City Council.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the one-year maintenance acceptance package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond
3. As-Builts (cover only)

Copy

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-4-135

EHRA

TBPE No. F-726
TBPLS No. 10092300

December 11, 2019

Mr. Dinh Ho
City of Iowa Colony
c/o Adico, LLC
2114 El Dorado Boulevard, Suite 400
Friendswood, Texas 77546

Re: Brazoria County Municipal Utility District No. 55
Water Distribution, Wastewater Collection,
Storm Water Facilities and Paving to serve
Meridiana, Section Eighty B

Dear Mr. Ho:

Please let this letter serve as confirmation that the above-referenced project has been completed. An inspection of the facilities was conducted by representatives from EHRA (Project Engineer), Principal Services, Ltd. (Project Contractor) and your firm on December 9, 2019, and deficiencies were noted.

We hereby certify that this project has been completed according to the City of Iowa Colony requirements, contingent upon the satisfactory completion of the deficiency items at the re-inspection scheduled for December 13, 219. If you should have any questions or require any additional information, please do not hesitate to contact the undersigned at 713-784-4500.

Copy

Sincerely,

Jared R. Bowlin, P.E.
Practice Area Leader –
Land Services

JRB/mh

cc: Mr. Israel Wong – City of Iowa Colony c/o Adico, LLC
Ms. Loan Allen – City of Iowa Colony c/o Adico, LLC
Mr. Brian Aarseth – GR-M1, Ltd. c/o Rise Communities
Mr. Tom Horn – GR-M1, Ltd. c/o Rise Communities
Thomas Arnold, E.I.T. – Firm
Dane Kendall – Firm
Dave Pavini – Firm

P:\081-011-80\Construction\Utilities (DST)\Inspections\Iowa Colony - Contingent Certification - 80B.doc

EHRA

EHRA PROJECT NO.: 081-011-80

DATE: 2-1-22

FINAL INSPECTION REPORT

- [ ] EHRA – ONE YEAR MAINTENANCE
- [x] EHRA – CITY OF IOWA COLONY
- [ ] HARRIS COUNTY PUBLIC INFRASTRUCTURE DEPARTMENT
- [ ] EHRA – CITY OF MANVEL
- [ ] TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
- [ ] BRAZORIA COUNTY DRAINAGE DISTRICT 5

PROJECT NAME: MERIDIANA, SECTION 80 1 YEAR RE-INSPECTION

ATTENDEES NAME	COMPANY	PHONE NO.
Dave Pavini	EHRA	832-580-9996
Israel Wong	Adico/COIC	832-741-0058
Celso Garcia	Principal	832-600-2150

Copy

NO.	DEFICIENCIES
****	All deficiencies corrected to satisfaction.

CITY OF IOWA COLONY
MAINTENANCE BOND

1. The following terms shall have the following meanings in this document:

   a. Bond Number: **4416679B**

   b. Principal: **Principal Services Ltd.**

   c. Surety:

      Name: **SureTec Insurance Company**

      State Where Surety is Incorporated: **Iowa**

   d. Obligee(s): **Brazoria County Municipal Utility District No. 55; and the City of Iowa Colony, Texas** (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Obligee, so leave this line blank.)

      If there is more than one Obligee, then the terms "Obligee" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

   e. Contract: The Contract described as follows:

      Date: _____
      Parties: Principal and **Brazoria County MUD No. 55**
      Subdivision involved: **Meridiana Section 80B**

      General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.): **Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana, Section Eighty - B**

      This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

   f. Bond Amount: $ **433,615.80**

   g. Maintenance Period:

      Starting Date **of Maintenance Period**: _____
      (Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

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Copy

h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.

2. Principal has entered into the Contract.

3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Obligee, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.

4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligee any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.

5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.

6. If there is more than Obligee under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

DATED: _____

Copy

SURETY: **SureTec Insurance Company**	PRINCIPAL: **Principal Services Ltd.**
By: _____ Signature	By: _____ Signature
Kelly J. Brooks Print or Type Signer's Name	**Kevin Burns** Print or Type Signer's Name
Attorney-in-fact Signer's Title	**C.O.O.** Signer's Title

ATTACH POWER OF ATTORNEY

POA #: 4221062

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

C. A. McClure, Kelly J. Brooks, Kenneth L. Meyer, Michelle Ulery

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Fifteen Million and 00/100 Dollars ($15,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the CEO, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

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In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its CEO, and its corporate seal to be hereto affixed this 2nd day of July, A.D. 2018.

Copy

SURETEC INSURANCE COMPANY

By: _____

John Knox Jr., CEO

State of Texas ss:
County of Harris

On this 2nd day of July, A.D. 2018 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is CEO of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.

XENIA CHAVEZ
Notary Public, State of Texas
Comm. Expires 09-10-2020
Notary ID 129117659

_____
Xenia Chavez, Notary Public
My commission expires September 10, 2020

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this _____ day of _____, _____, A.D.

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SureTec Insurance Company
9737 Great Hills Trail, Suite 320
Austin, Tx 78759

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Austin, TX 78714-9104
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BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 55

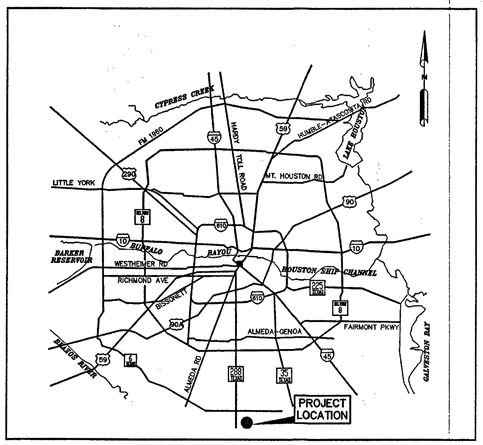
PLANS FOR CONSTRUCTION OF PROPOSED WATER DISTRIBUTION, WASTEWATER COLLECTION, PAVING AND STORM WATER FACILITIES TO SERVE

MERIDIANA SECTION EIGHTY

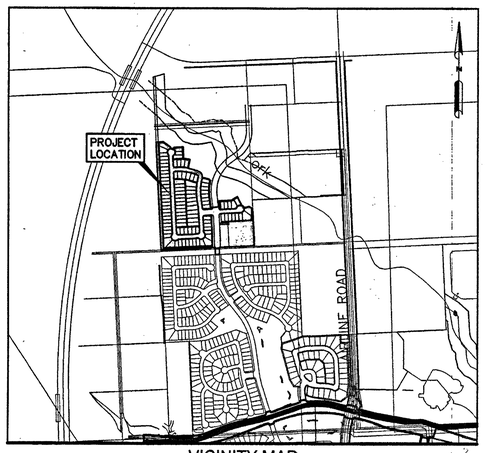
IOWA COLONY, TEXAS

MERIDIANA SECTION EIGHTY P-3612

"AS BUILT"
Updated 12/10/2019
T. Arnold



LOCATION MAP
N.T.S.



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SCALE: 1"=1000'

KEY MAP NO. 692 K,L

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13	ECKERT ROAD – STA 18+00 TO 26+00
14	ECKERT ROAD – STA 26+00 TO END AND 36" STORM SEWER OUTFALL – STA 1+00 TO END
15	24" STORM SEWER – STA 0+50 TO END
	DETAILS:
16	WATER DETAILS (SHEET 1 OF 2)
17	WATER DETAILS (SHEET 2 OF 2)
18	SANITARY SEWER DETAILS (SHEET 1 OF 2)
19	SANITARY SEWER DETAILS (SHEET 2 OF 2)
20	SANITARY SEWER DETAILS (SHEET 3 OF 3)
21	STORM SEWER DETAILS (SHEET 1 OF 3)
22	STORM SEWER DETAILS (SHEET 2 OF 3)
23	STORM SEWER DETAILS (SHEET 3 OF 3)
24	STORM SEWER MANHOLE DETAILS
25	PAVING DETAILS (SHEET 1 OF 4)
26	PAVING DETAILS (SHEET 2 OF 4)
27	PAVING DETAILS (SHEET 3 OF 4)
28	PAVING DETAILS (SHEET 4 OF 4)
29	STORM WATER POLLUTION PREVENTION DETAILS (SHEET 1 OF 2)
30	STORM WATER POLLUTION PREVENTION DETAILS (SHEET 2 OF 2)

COPY

DECEMBER 2017

IOWA COLONY
Texas

Completed 8-21-18
R. Kingery
C. Kalama
T. Kelsey
Updated 12/10/2019
T. Arnold

CITY OF IOWA COLONY
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.

MICHAEL HOUSTON, MAYOR — DATE 1-15-18
DINH HO, P.E., CITY ENGINEER — DATE 1/15/18

IOWA COLONY
Texas

NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS REQUEST 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST – STOP CALL
Texas One Call System
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(713)223-4567 (IN HOUSTON)

EHRA
10555 Westoffice Drive
Houston, Texas 77042
713.784.4500
EHRAinc.com
TBPE No. F-726

STATE OF TEXAS
BENJAMIN K. SATTERWHITE
111685
LICENSED PROFESSIONAL ENGINEER
12.29.17

NOTE:
CONTRACTOR SHALL NOTIFY THE CITY OF IOWA COLONY c/o Adico, LLC (Dinh V. Ho, P.E. @ 832-895-1093 OR dinh@adico-llc.com) 48 HOURS BEFORE COMMENCING WORK.

CIOC # EPR2-170920-0545
Adico # 16007-3-077

JOB NO. 081-011-80

P-3612

ADICO
CONSULTING ENGINEERS

Thursday, February 17, 2022

Mayor Michael Byrum-Bratsen
City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Meridiana Section 76B Storm and Paving Facilities
Brazoria County Municipal Utility District No. 55
Recommendation for Acceptance into One-Year Maintenance Period
City of Iowa Colony Project No. CSW 211015-1287
Adico, LLC Project No. 16007-4-370

Dear Mayor Byrum-Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of Meridiana Section 76B Storm and Paving Facilities. The final inspection was held January 18, 2022 with all punch list items completed on or about February 16, 2022.

Based on our review of the closeout documents provided, Adico, LLC recommends acceptance of facilities into the One-Year Maintenance Period. The maintenance period shall be effective February 28, 2022, if approved by City Council.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the One-Year Maintenance acceptance package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond
3. As-Builts (cover only)

Copy

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh Ho, P.E.

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-4-370

EHRA
ENGINEERING THE FUTURE
SINCE 1936

TBPE No. F-726
TBPLS No. 10092300

Engineers Certificate of Completion

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ENGINEER'S CERTIFICATE OF COMPLETION OF WATER DISTRICT PROJECT

Name of District:
Brazoria County Municipal Utility District No. 55

Owner of property, if other than District:
GR-M1, Ltd.

Kind of project, contract identification:
Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana Meridiana, Section Seventy Six-B

Name of contractor:
Rodriguez Construction Group, LLC.

Name of consulting engineer:
Edminster, Hinshaw, Russ & Associates, Inc.

Address of consulting engineer:
10011 Meadowglen Lane, Houston, Texas 77042

Copy

I certify this project was at least 95% complete on January 18, 2022; that the project was under continual observation; that all observation of the work was performed by or under the supervision of Jared R. Bowlin, P.E., a Licensed Professional Engineer; that to the best of my knowledge the project was in accordance with and includes all items in plans and specifications approved by all authorities having jurisdiction; and "record drawings" will be furnished to the District.

Signed and Sealed,

Jared R. Bowlin

Jared R. Bowlin, P.E.
Registration No. 103429

STATE OF TEXAS
JARED R. BOWLIN
103429
LICENSED
PROFESSIONAL ENGINEER

Jared R. Bowlin
02/14/2022

CITY OF IOWA COLONY
MAINTENANCE BOND

1. The following terms shall have the following meanings in this document:

   a. Bond Number: 800125091

   b. Principal: **Rodriguez Construction Group, LLC**

   c. Surety:

      Name: **Atlantic Specialty Insurance Company**

      State Where Surety is Incorporated: **New York**

   d. Obligee(s): **Brazoria County Municipal Utility District No. 55 and City of Iowa Colony**, Texas (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Obligee, so leave this line blank.)

      If there is more than one Obligee, then the terms "Obligee" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

   e. Contract: The Contract described as follows:

      Date:_____
      Parties: **Rodriguez Construction Group, LLC and City of Iowa Colony**
      Subdivision involved: Meridiana, Section Seventy Six-B
      General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.): Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana, Section Seven Six-B

      This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

   f. Bond Amount: **$789,750.00**

   g. Maintenance Period:

      Starting Date **of Maintenance Period**: _____
      (Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

      Ending Date of Maintenance Period: two years after the Starting Date

Copy

h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.

2. Principal has entered into the Contract.

3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Obligee, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.

4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligee any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.

5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.

6. If there is more than Obligee under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

Copy

DATED: _____

SURETY:
Atlantic Specialty Insurance Company

By: _____
Signature

Jillian O'Neal
Print or Type Signer's Name

Attorney-in-Fact
Signer's Title

PRINCIPAL:
Rodriguez Construction Group, LLC
2647 Jo Ann Street
Stafford, Texas 77477
832-539-6130

By: _____
Signature

Roy Rodriguez
Print or Type Signer's Name

President
Signer's Title

RODRIGUEZ CONSTRUCTION GROUP, LLC
LIMITED LIABILITY COMPANY
SEAL
2015
STATE OF TEXAS

ATTACH POWER OF ATTORNEY

intact INSURANCE

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Edward Arens, Philip Baker, Michele Bonnin, Erica A. Cox, Rebecca Garza, Jillian ONeal**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.

Copy

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

By _____
Paul J. Brehm, Senior Vice President

STATE OF MINNESOTA
HENNEPIN COUNTY

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.

ALISON DWAN NASH-TROUT
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2025

_____
Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated_____ day of _____, _____.

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

This Power of Attorney expires
January 31, 2025

_____
Kara Barrow, Secretary

Please direct bond verifications to surety@intactinsurance.com

IMPORTANT NOTICE

To obtain information or make a complaint:

You may contact your agent.

You may call your Insurance Carrier's toll-free telephone number for information or to make a complaint at:

1-800-321-2721

You may also write to your Insurance Carrier at

Atlantic Specialty Insurance Company
Paralegal

605 Highway 169 North, Suite 800
Plymouth, MN 55441

1-781-332-7671

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance:

P.O. Box 149104, Austin, TX 78714-9104

Fax: (512) 490-1007
Web: www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim you should contact the agent first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY: This notice is for information only and does not become a part or condition of the attached document.

AVISO IMPORTANTE

Para obtener informacion o para someter una queja:

Puede communicarse con su agente.

Usted puede llamar al numero de telefono gratis de su compañía de seguros para informacion o para someter una queja al:

1-800-321-2721

Usted tambien puede escribir a su compañía de seguros en:

Atlantic Specialty Insurance Company
Paralegal

605 Highway 169 North, Suite 800
Plymouth, MN 55441

1-781-332-7671

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al:

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104, Austin, TX 78714

Fax: (512) 490-1007
Web: www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS SOBRE PRIMAS □ RECLAMOS: Si tiene una disputa concerniente a su prima o a un reclamo, debe comunicarse con el agente primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA: Este aviso es solo para proposito de informacion y no se convierte en parte condicion del documento adjunto.

Copy

APPROVED, ADICO, LLC, 08232021

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 55

PLANS FOR CONSTRUCTION OF WATER DISTRIBUTION, WASTEWATER COLLECTION, PAVING AND STORM WATER FACILITIES TO SERVE

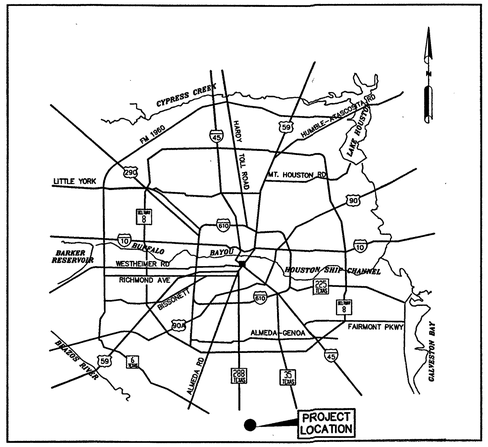
MERIDIANA SECTION SEVENTY-SIX B

IOWA COLONY, TEXAS

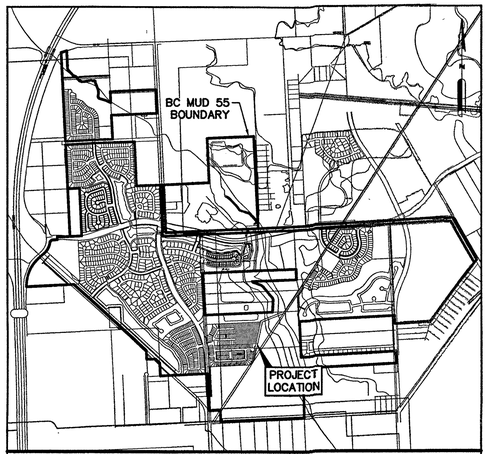
PRINTED
JAN 1 8 2022

"AS BUILT"

MERIDIANA SECTION SEVENTY-SIX B P-4099



LOCATION MAP
N.T.S.



VICINITY MAP
N.T.S.
KEY MAP NO. 692 K,L

NOTE: ACCEPTANCE OF THE ROADWAY INTO CITY MAINTENANCE WILL REQUIRE CONSTRUCTION OF SIDEWALKS ALONG ALL LANDSCAPE EASEMENTS AND RESERVES.

Sheet List Table

Sheet Number	Sheet Title
	GENERAL
1	COVER SHEET
2	GENERAL NOTES
	LAYOUTS
3	PAVING, SIGNAGE, DRAINAGE & STORM SEWER LAYOUT
4	DRAINAGE CALCULATIONS
5	WATER DISTRIBUTION AND WASTEWATER COLLECTION LAYOUT
6	STORM WATER POLLUTION PREVENTION PLAN LAYOUT
7	GRADING LAYOUT
8	CROSS SECTION LAYOUT
	PLAN AND PROFILES
9	WATSON DRIVE STA 9+50 TO 15+00 PLAN AND PROFILE
10	WATSON DRIVE STA 15+00 TO 19+00 PLAN AND PROFILE
11	KINSEY STREET STA 6+50 TO 11+00 PLAN AND PROFILE
12	KINSEY STREET STA 11+00 TO 13+76 PLAN AND PROFILE
	DETAILS
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27	STORM WATER POLLUTION PREVENTION DETAILS (SHEET 2 OF 2)

COPY

CITY OF IOWA COLONY

CITY OF IOWA COLONY
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.
MICHAEL BYRUM-EASTEN, MAYOR — 08232021 DATE
DINH HO, P.E., CITY ENGINEER — 08232021 DATE
CITY OF IOWA COLONY
NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS REQUEST 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST - STOP CALL
Texas One Call System
1-800-344-8377
(713)223-4567 (IN HOUSTON)

August 17, 2021

EHRA
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Houston, Texas 77042
EHRAinc.com | 713.784.4500
TBPE No. F-726 | TBPLS No. 10092300
ENGINEERING THE FUTURE SINCE 1936

JOB NO. 081-011-76

STATE OF TEXAS
JARED R. BOWLIN
103429
LICENSED PROFESSIONAL ENGINEER
8.20.21

NOTE:
CONTRACTOR SHALL NOTIFY THE CITY OF IOWA COLONY c/o Adico, LLC (Dinh V. Ho, P.E. @ 832-895-1093 OR dinh@adico-llc.com) 48 HOURS BEFORE COMMENCING WORK.

CIOC Project No. EPR2-210525-0728
Adico, LLC Project No. 16007-3-278

P-4099

P:\081-011-76\Drawings_Meridiana Sec 76B\ COVER SHEET.dwg Aug 20, 2021-11:01am Edited by: DGUTIERREZ

ADICO
CONSULTING ENGINEERS

Thursday, February 17, 2022

Mayor Michael Byrum-Bratsen
City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Meridiana Section 76B Water Distribution and Wastewater Collection
Brazoria County Municipal Utility District No. 55
Recommendation for Approval into One-Year Maintenance Period
City of Iowa Colony Project No. CSW 211015-1287
Adico, LLC Project No. 16007-4-370

Dear Mayor Byrum-Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of Meridiana Section 76B Water and Wastewater Collection. The final inspection was held January 18, 2022, with all punch list items completed on or about February 16, 2022.

Based on our review of the closeout documents provided, Adico, LLC recommends approval of facilities into the One-Year Maintenance Period. The maintenance period shall be effective February 28, 2022, if approved by City Council.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the One-Year Maintenance acceptance package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond
3. As-Builts (cover only)

Copy

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-4-370

EHRA
ENGINEERING THE FUTURE
SINCE 1936

TBPE No. F-726
TBPLS No. 10092300

Engineers Certificate of Completion

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ENGINEER'S CERTIFICATE OF COMPLETION OF WATER DISTRICT PROJECT

Name of District:
Brazoria County Municipal Utility District No. 55

Owner of property, if other than District:
GR-M1, Ltd.

Kind of project, contract identification:
Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana Meridiana, Section Seventy Six-B

Name of contractor:
Rodriguez Construction Group, LLC.

Name of consulting engineer:
Edminster, Hinshaw, Russ & Associates, Inc.

Address of consulting engineer:
10011 Meadowglen Lane, Houston, Texas 77042

Copy

I certify this project was at least 95% complete on January 18, 2022; that the project was under continual observation; that all observation of the work was performed by or under the supervision of Jared R. Bowlin, P.E., a Licensed Professional Engineer; that to the best of my knowledge the project was in accordance with and includes all items in plans and specifications approved by all authorities having jurisdiction; and "record drawings" will be furnished to the District.

Signed and Sealed,

Jared R. Bowlin

Jared R. Bowlin, P.E.
Registration No. 103429

STATE OF TEXAS
JARED R. BOWLIN
103429
LICENSED
PROFESSIONAL ENGINEER

Jared R. Bowlin
02/14/2022

CITY OF IOWA COLONY
MAINTENANCE BOND

1. The following terms shall have the following meanings in this document:

   a. Bond Number: 800125091

   b. Principal: **Rodriguez Construction Group, LLC**

   c. Surety:

      Name: **Atlantic Specialty Insurance Company**

      State Where Surety is Incorporated: **New York**

   d. Obligee(s): **Brazoria County Municipal Utility District No. 55 and City of Iowa Colony**, Texas (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Obligee, so leave this line blank.)

      If there is more than one Obligee, then the terms "Obligee" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

   e. Contract: The Contract described as follows:

      Date:_____
      Parties: **Rodriguez Construction Group, LLC and City of Iowa Colony**
      Subdivision involved: Meridiana, Section Seventy Six-B
      General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.): Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana, Section Seven Six-B

      This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

   f. Bond Amount: **$789,750.00**

   g. Maintenance Period:

      Starting Date **of Maintenance Period**: _____
      (Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

      Ending Date of Maintenance Period: two years after the Starting Date

Copy

h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.

2. Principal has entered into the Contract.

3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Obligee, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.

4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligee any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.

5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.

6. If there is more than Obligee under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

Copy

DATED: _____

SURETY:
Atlantic Specialty Insurance Company

By: _____
Signature

Jillian O'Neal
Print or Type Signer's Name

Attorney-in-Fact
Signer's Title

PRINCIPAL:
Rodriguez Construction Group, LLC
2647 Jo Ann Street
Stafford, Texas 77477
832-539-6130

By: _____
Signature

Roy Rodriguez
Print or Type Signer's Name

President
Signer's Title

RODRIGUEZ CONSTRUCTION GROUP, LLC
LIMITED LIABILITY COMPANY
SEAL
2015
STATE OF TEXAS

ATTACH POWER OF ATTORNEY

intact INSURANCE

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Edward Arens, Philip Baker, Michele Bonnin, Erica A. Cox, Rebecca Garza, Jillian ONeal**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.

Copy

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

By _____
Paul J. Brehm, Senior Vice President

STATE OF MINNESOTA
HENNEPIN COUNTY

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.

ALISON DWAN NASH-TROUT
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2025

_____
Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated_____ day of _____, _____.

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

This Power of Attorney expires
January 31, 2025

_____
Kara Barrow, Secretary

Please direct bond verifications to surety@intactinsurance.com

IMPORTANT NOTICE

To obtain information or make a complaint:

You may contact your agent.

You may call your Insurance Carrier's toll-free telephone number for information or to make a complaint at:

1-800-321-2721

You may also write to your Insurance Carrier at

Atlantic Specialty Insurance Company
Paralegal

605 Highway 169 North, Suite 800
Plymouth, MN 55441

1-781-332-7671

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance:

P.O. Box 149104, Austin, TX 78714-9104

Fax: (512) 490-1007
Web: www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim you should contact the agent first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY: This notice is for information only and does not become a part or condition of the attached document.

AVISO IMPORTANTE

Para obtener informacion o para someter una queja:

Puede communicarse con su agente.

Usted puede llamar al numero de telefono gratis de su compañía de seguros para informacion o para someter una queja al:

1-800-321-2721

Usted tambien puede escribir a su compañía de seguros en:

Atlantic Specialty Insurance Company
Paralegal

605 Highway 169 North, Suite 800
Plymouth, MN 55441

1-781-332-7671

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al:

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104, Austin, TX 78714

Fax: (512) 490-1007
Web: www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS SOBRE PRIMAS □ RECLAMOS: Si tiene una disputa concerniente a su prima o a un reclamo, debe comunicarse con el agente primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA: Este aviso es solo para proposito de informacion y no se convierte en parte condicion del documento adjunto.

Copy

APPROVED, ADICO, LLC, 08232021

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 55

PLANS FOR CONSTRUCTION OF WATER DISTRIBUTION, WASTEWATER COLLECTION, PAVING AND STORM WATER FACILITIES TO SERVE

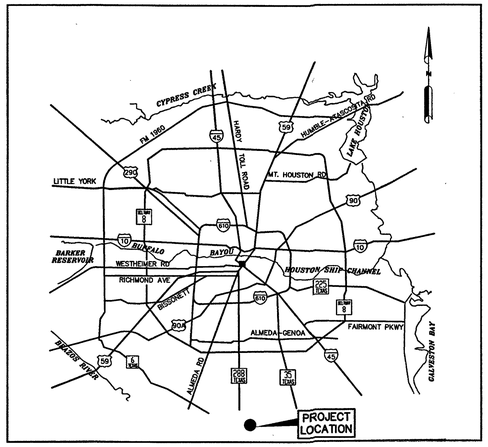
MERIDIANA SECTION SEVENTY-SIX B

IOWA COLONY, TEXAS

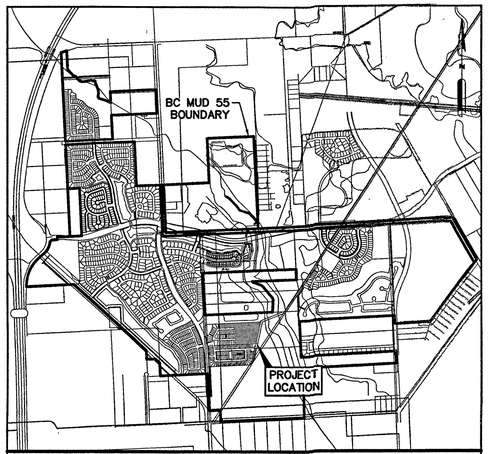
PRINTED
JAN 1 8 2022

"AS BUILT"

MERIDIANA SECTION SEVENTY-SIX B P-4099



LOCATION MAP
N.T.S.



VICINITY MAP
N.T.S.
KEY MAP NO. 692 K,L

NOTE: ACCEPTANCE OF THE ROADWAY INTO CITY MAINTENANCE WILL REQUIRE CONSTRUCTION OF SIDEWALKS ALONG ALL LANDSCAPE EASEMENTS AND RESERVES.

Sheet List Table

Sheet Number	Sheet Title
	GENERAL
1	COVER SHEET
2	GENERAL NOTES
	LAYOUTS
3	PAVING, SIGNAGE, DRAINAGE & STORM SEWER LAYOUT
4	DRAINAGE CALCULATIONS
5	WATER DISTRIBUTION AND WASTEWATER COLLECTION LAYOUT
6	STORM WATER POLLUTION PREVENTION PLAN LAYOUT
7	GRADING LAYOUT
8	CROSS SECTION LAYOUT
	PLAN AND PROFILES
9	WATSON DRIVE STA 9+50 TO 15+00 PLAN AND PROFILE
10	WATSON DRIVE STA 15+00 TO 19+00 PLAN AND PROFILE
11	KINSEY STREET STA 6+50 TO 11+00 PLAN AND PROFILE
12	KINSEY STREET STA 11+00 TO 13+76 PLAN AND PROFILE
	DETAILS
13	PAVING DETAILS (SHEET 1 OF 4)
14	PAVING DETAILS (SHEET 2 OF 4)
15	PAVING DETAILS (SHEET 3 OF 4)
16	PAVING DETAILS (SHEET 4 OF 4)
17	WATER DETAILS (SHEET 1 OF 2)
18	WATER DETAILS (SHEET 2 OF 2)
19	SANITARY SEWER DETAILS (SHEET 1 OF 3)
20	SANITARY SEWER DETAILS (SHEET 2 OF 3)
21	SANITARY SEWER DETAILS (SHEET 3 OF 3)
22	STORM SEWER DETAILS (SHEET 1 OF 4)
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24	STORM SEWER DETAILS (SHEET 3 OF 4)
25	STORM SEWER DETAILS (SHEET 4 OF 4)
26	STORM WATER POLLUTION PREVENTION DETAILS (SHEET 1 OF 2)
27	STORM WATER POLLUTION PREVENTION DETAILS (SHEET 2 OF 2)

COPY

CITY OF IOWA COLONY

CITY OF IOWA COLONY
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.
MICHAEL BYRUM-EASTEN, MAYOR — 08232021 DATE
DINH HO, P.E., CITY ENGINEER — 08232021 DATE
CITY OF IOWA COLONY
NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS REQUEST 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST - STOP CALL
Texas One Call System
1-800-344-8377
(713)223-4567 (IN HOUSTON)

August 17, 2021

EHRA
10011 Meadowglen Lane
Houston, Texas 77042
EHRAinc.com | 713.784.4500
TBPE No. F-726 | TBPLS No. 10092300
ENGINEERING THE FUTURE SINCE 1936

JOB NO. 081-011-76

STATE OF TEXAS
JARED R. BOWLIN
103429
LICENSED PROFESSIONAL ENGINEER
8.20.21

NOTE:
CONTRACTOR SHALL NOTIFY THE CITY OF IOWA COLONY c/o Adico, LLC (Dinh V. Ho, P.E. @ 832-895-1093 OR dinh@adico-llc.com) 48 HOURS BEFORE COMMENCING WORK.

CIOC Project No. EPR2-210525-0728
Adico, LLC Project No. 16007-3-278

P-4099

P:\081-011-76\Drawings_Meridiana Sec 76B\ COVER SHEET.dwg Aug 20, 2021-11:01am Edited by: DGUTIERREZ

TERMS AND CONDITIONS OF EARLY PLAT APPROVAL
(Sierra Vista West Subdivision Section 8)

1. Terms and Special Provisions

a. "Developer" herein shall mean: ASTRO SIERRA VISTA, L.P.

b. "City" herein shall mean: the CITY OF IOWA COLONY, TEXAS.

c. "District" herein shall mean: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 53.

d. "Section" herein shall mean all of the following, whether one or more: Sierra Vista West Subdivision Section 8.

e. "Plat" herein shall mean the plat of the Section.

f. "Facilities" herein shall mean the following infrastructure for the Section, as more fully described or shown on the plat, drawings, specifications, bid proposals, pay estimates, change orders, affidavits of bills paid, waivers and lien releases upon partial payment, and the letter of recommendation from the City Engineer, **a copy of which letter is attached hereto as Exhibit "A"**: water, sanitary sewer, drainage, and paving.

Copy

g. "Deposited Funds" herein shall mean: **Nine Hundred Sixty-Nine Thousand Four Hundred Fifty-Six and 08/100 Dollars ($969,456.08).**

h. "City's Administrative Fee" herein shall mean: **Nineteen Thousand Three Hundred Eighty-Nine and 12/100 Dollars ($19,389.12), which has been received by the City and is calculated as follows:**

$19,389.12	**2% Administrative Fee**
$ 9,694.56	**Less 1% as credit for lighted street signs per Letter of Understanding dated December 21, 2020**
$ 9,694.56	**Net Administrative Fee**

2. The Developer is developing the Section, in the city limits or extraterritorial jurisdiction of the City. The Facilities are included in the Section. The Facilities are under construction, pursuant to contract(s) entered into by the District and/or the Developer but have not been completed.

3. The Developer has applied for early approval and recording of the Plat of the Section pursuant to the procedures, terms, and conditions set forth in Ordinance No. 2018-30 (the "Early Platting Ordinance") of the City, which was passed on December 17, 2018, and which amended the Subdivision Ordinance.

4. This document is not a contract; rather, it states the terms and conditions upon which the City hereby approves the Plat of the Section and authorizes early recordation of that Plat with the Brazoria County Clerk, pursuant to all terms and conditions of this document and the Early Platting Ordinance.

5. The Plat of the Section may be recorded with the Brazoria County Clerk upon payment to the City of the amounts required by this document and upon inclusion on that Plat of the notations required by Section Three of the Early Platting Ordinance.

6. After the Plat of the Section has been lawfully recorded pursuant to this document, then the fact that the Facilities in the Section have not been completed shall not be a cause to deny approval of the plat of the Section and shall not be a cause to deny early plat approval and building permits for the Section under the terms and conditions of the Early Platting Ordinance.

7. The Developer shall deposit with the City (1) the Deposited Funds for the purposes described herein and set forth on **Exhibit "A" attached hereto**, in lieu of the completion of the Facilities in the Section before recordation as would otherwise be required by City regulations; and (2) the City's Administrative Fee under the Early Platting Ordinance. The City's holding and use of the Deposited Funds and the Administrative Fee shall be governed by the Early Platting Ordinance and this document.

Copy

8. Regardless of any other provision, the funds paid hereunder shall not be an escrow, and the City shall not be an escrow agent, regardless whether any attachments to this document or any other sources refer to escrowed funds or similar phrases. Regardless of any provision, the City shall not under any circumstances owe any fiduciary duty to Developer or any other person in any way concerning this document, the subject matter hereof, or any funds paid hereunder.

9. The City Engineer has the right under the Early Platting Ordinance to require the deposit of additional funds at any time, if the City Engineer determines in his sole, good faith discretion, that the then remaining Deposited Funds are less than 110% of the then remaining construction cost of the Facilities.

10. The parties understand that the Deposited Funds represent the funds set aside for the Developer to make payments under construction contracts for the Facilities entered into by the District and/or Developer (the "Contract", whether one nor more), under which Contract payments are guaranteed by the Developer. Therefore, the Developer may draw upon the Deposited Funds monthly to satisfy progress payments under the Contract for the Facilities; provided that (1) the amount of the Deposited Funds shall never be reduced to less than 110% of the then remaining cost to complete the construction of the Facilities, as determined by the City Engineer in his sole, good faith discretion; and further provided that (2) the Developer is not in default under this document or the Early Platting Ordinance. The time of remittance of any required, qualifying progress payments from the City to the Developer shall be within 7 days after a regular City Council meeting, if the City receives a written request therefor no later than 5

days before that City Council meeting, and such request shows, to the reasonable satisfaction of the City, that the progress payment is valid and required.

11. The return of any unused portion of the Deposited Funds to the Developer upon completion of the Facilities shall be as provided in the Early Platting Ordinance. However, the Administrative Fee shall be nonrefundable and may be used for any purpose.

12. The City has an interlocal agreement with Brazoria County, providing that the City, not Brazoria County, shall regulate subdivision plats in the City's extraterritorial jurisdiction.

13. This document implements the Early Platting Ordinance, which provides exceptions to certain requirements of the Subdivision Ordinance, but this document does not otherwise waive any requirements of the Subdivision Ordinance.

14. The Developer certifies that it does not boycott the State of Israel and will not boycott the State of Israel during the term of this document.

EFFECTIVE DATE: FEBRUARY 28, 2022

CITY OF IOWA COLONY, TEXAS

Copy

By: _____
Michael Byrum-Bratsen, Mayor

ATTEST:

_____
Kayleen Rosser, City Secretary

ACCEPTED:

ASTRO SIERRA VISTA, L.P.,
A Delaware Limited Partnership

By: ASTRO SIERRA VISTA GP, L.L.C.
A Delaware Limited Liability Company,
As Its General Partner

By: _____
Melanie Ohl
Authorized Signer

Copy

EXHIBIT "A" to
Terms and Conditions of Early Plat Approval

Letter of Recommendation
With Its Attachment(s)

Copy

ADICO
CONSULTING ENGINEERS

Wednesday, February 16, 2022

Mayor Michael Byrum-Bratsen
c/o City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Sierra Vista West Section 8
Brazoria County Municipal Utility District No. 53
Astro Sierra Vista, L.P.
Early Plat Application Request
Letter of Recommendation to Approve
Adico Project No. 21001-15

Dear Mayor Byrum-Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has received an Early Plat Application Request (attached) on or about October 28, 2021, from Elevation Land Solutions, on behalf of Astro Sierra Vista, L.P., for Sierra Vista West Section 8. The Developer is proposing to record the plat in accordance with the City of Iowa Colony Subdivision Ordinance, as amended per Ordinance 2018-30.

Infrastructure construction plans have been approved and construction is currently ongoing. Sierra Vista West Section 8 Revised Final Plat was approved by Planning Commission in February 2022 and is currently on the City Council Agenda for approval.

Copy

SIERRA VISTA WEST SECTION 8 EARLY PLAT ESCROW SUMMARY					
Contract	**Contractor**	**Original Contract**	**Change Orders**	**Confirmed Payments**	**Applicable Early Plat Portion**
Water, Sanitary and Drainage	Principal Services, LTD	$ 1,074,217.07		$ 896,019.36	$ 178,197.71
Paving	Bay Paving, LLC	$ 703,126.00			$ 703,126.00
Total Remaining Contract Amount					**$ 881,323.71**
Contingency @ 10%					**$ 88,132.37**
Total Escrow of Cash Deposit due to City (within 10 days of CC approval)					**$ 969,456.08**
Administrative Fee @ 2% of $969,456.08 Due at time of application					***$ 19,389.12***
Admin Fee @ 50% per agreement re Street Lights					**$ 9,694.56**

Elevation Land Solutions has provided copies of bid documents, pay estimates, Affidavit of Bills Paid, Waiver and Lien Release upon Partial Payment and payment acknowledgements for this project. Based on our review of the documentation provided, the amount remaining on the current contracts is $881,323.71 Per the Ordinance, a cash deposit of 110% of the remaining construction cost is required to be escrowed with the City. The total cash deposit shall be $969,456.08.

In addition, a 2% administrative fee based on remaining construction cost is required at the time of application submittal. The administrative fee $19,389.12. This fee is reduced by 50% based on the Letter of Understanding dated December 21, 2020, regarding the illuminated street sign credit. The City has received the administrative fee of $9,694.56.

Based on our review of the documents provided, we have no objections to the Early Plat Application Request for Sierra Vista West Section 8. This approval is contingent on City Council approving the revised final plat on the current agenda.

The Developer shall provide the cash deposit in the amount of $969,456.08 to the City within 10 working days from the date of the agreement, if approved by City Council.

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh Ho, P.E.

Dinh V. Ho, P.E.
TBPE Firm No. 16423

cc: Kayleen Rosser, City Secretary (krosser@iowacolonytx.gov)
Robert Hemminger, City Manager (rhemminger@iowacolonytx.gov)
Larry Boyd, City Attorney (larryboyd@swbell.net)

Copy

ELEVATION
land solutions

January 27, 2022

Dinh V. Ho, PE
Adico Consulting Engineers
On behalf of City of Iowa Colony
2114 El Dorado Blvd., Suite 400
Friendswood, Texas 77546

Re: Early Plat Release Application Request
Sierra Vista West Section 8

Mr. Ho:

On behalf of Land Tejas, this letter is to formally request the City of Iowa Colony process an application for an early plat escrow in connection with Sierra Vista West Section 8. Our intention is to obtain a recorded plat by March subject to City Council approval and deposit of escrowed funds per the agreement.

This escrow is proposed to include funds to complete the construction of water, sanitary, drainage and paving for the above referenced project. Construction of the project is currently in progress, and we anticipate will be complete by March.

Exhibit A (attached) is a summary of the contract amounts and estimates for this project which is the basis for calculating the 2% administrative fee per the City's policy. The calculated fee is reduced by 50% based on the Letter of Understanding dated December 21,2020 regarding the illuminated street sign credit. Land Tejas will be submitting this fee to City Hall concurrently with this request.

If you have any questions, please call us.

Best Regards,

Travis H. Harrison, PE
Project Manager

Cc: Josh Wadley – Land Tejas

Copy

ELEVATION
land solutions

CITY OF IOWA COLONY - CONSTRUCTION ESCROW SUMMARY
SIERRA VISTA WEST SECTION 8

January 25, 2022

Project	Contractor	Original Contract Amount	Change Orders	Current Contract Amount	Payments to Date	Remaining Contract Amount
1. Section 8 WSD	Principal	$ 1,074,217.07	$ -	$ 1,074,217.07	$ 896,019.36	$ 178,197.71
2. Section 8 Paving	Bay	$ 703,126.00	$ -	$ 703,126.00	$ -	$ 703,126.00

Total Construction Contract Remaining	$	881,323.71
Contingency (10%)		88,132.37
Total Escrow	$	969,456.08 (2)
City of Iowa Colony Administrative Fee (2%)	$	19,389.12
Applied Credit for Illuminated Street Name Signs Agreement (50% Credit)		(9,694.56)
Administrative Fee Due at Time of Application	$	9,694.56 (1)
Total Credit for Illuminated Street Name Signs Agreement dated 12/21/20	$	75,417.16
Applied Credit for Sierra Vista West Section 6 Application		(11,217.81)
Applied Credit for Sierra Vista West Section 4 Application		(36,495.08)
Applied Credit for Sierra Vista West Section 7 Application		(17,404.85)
Applied Credit for Sierra Vista West Section 8 Application (this application)		(9,694.56)
Remaining Credit for Section 9 Application	$	604.86

Copy

Notes:
(1) Administrative fee due to City of Iowa Colony at time of application.
(2) Escrow deposit due within 10 business days following City Council approval.

ELEVATION
land solutions

CITY OF IOWA COLONY - CONSTRUCTION ESCROW SUMMARY
SIERRA VISTA WEST SECTION 8

January 25, 2022

Project	Contractor	Original Contract Amount	Change Orders	Current Contract Amount	Payments to Date	Remaining Contract Amount
1. Section 8 WSD	Principal	$ 1,074,217.07	$ -	$ 1,074,217.07	$ 896,019.36	$ 178,197.71
2. Section 8 Paving	Bay	$ 703,126.00	$ -	$ 703,126.00	$ -	$ 703,126.00

Total Construction Contract Remaining	$	881,323.71
Contingency (10%)		88,132.37
Total Escrow	$	969,456.08 (2)
City of Iowa Colony Administrative Fee (2%)	$	19,389.12
Applied Credit for Illuminated Street Name Signs Agreement (50% Credit)		(9,694.56)
Administrative Fee Due at Time of Application	$	9,694.56 (1)
Total Credit for Illuminated Street Name Signs Agreement dated 12/21/20	$	75,417.16
Applied Credit for Sierra Vista West Section 6 Application		(11,217.81)
Applied Credit for Sierra Vista West Section 4 Application		(36,495.08)
Applied Credit for Sierra Vista West Section 7 Application		(17,404.85)
Applied Credit for Sierra Vista West Section 8 Application (this application)		(9,694.56)
Remaining Credit for Section 9 Application	$	604.86

Copy

Notes:
(1) Administrative fee due to City of Iowa Colony at time of application.
(2) Escrow deposit due within 10 business days following City Council approval.

January 28, 2022

Principal Services, Ltd.

27080 Mandell Road

Cleveland, TX 77328

Project: Construction of Water, Sanitary, Drainage for Sierra Vista West Section 8

Acknowledgement of payment:

I, Destiny Kennedy, of Principal Services, Ltd. confirm that we have been paid for the following pay estimates listed below:

Pay Estimate #1	$ 412,727.40
Pay Estimate #2	$ 483,291.96
Total Paid to date	$ 896,019.36

Copy

Signed:

Principal Services, Ltd.

DK

By: Destiny Kennedy

Date: 1-28-22

TERMS AND CONDITIONS OF EARLY PLAT APPROVAL
(Sierra Vista West Subdivision Section 9)

1. Terms and Special Provisions

a. "Developer" herein shall mean: ASTRO SIERRA VISTA, L.P.

b. "City" herein shall mean: the CITY OF IOWA COLONY, TEXAS.

c. "District" herein shall mean: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 53.

d. "Section" herein shall mean all of the following, whether one or more: Sierra Vista West Subdivision Section 9.

e. "Plat" herein shall mean the plat of the Section.

f. "Facilities" herein shall mean the following infrastructure for the Section, as more fully described or shown on the plat, drawings, specifications, bid proposals, pay estimates, change orders, affidavits of bills paid, waivers and lien releases upon partial payment, and the letter of recommendation from the City Engineer, **a copy of which letter is attached hereto as Exhibit "A"**: water, sanitary sewer, drainage, and paving.

Copy

g. "Deposited Funds" herein shall mean: **One Million Three Hundred Forty-Six Thousand Eight Hundred Ninety-Seven and 29/100 Dollars ($1,346,897.29).**

h. "City's Administrative Fee" herein shall mean: **Twenty-Six Thousand Nine Hundred Thirty-Seven and 95/100 Dollars ($26,937.95), which has been received by the City and is calculated as follows:**

$26,937.95	**2% Administrative Fee**
$ 604.86	**Less remaining credit for lighted street signs per Letter of Understanding dated December 21, 2020**
$26,333.09	**Net Administrative Fee**

2. The Developer is developing the Section, in the city limits or extraterritorial jurisdiction of the City. The Facilities are included in the Section. The Facilities are under construction, pursuant to contract(s) entered into by the District and/or the Developer but have not been completed.

3. The Developer has applied for early approval and recording of the Plat of the Section pursuant to the procedures, terms, and conditions set forth in Ordinance No. 2018-30 (the "Early Platting Ordinance") of the City, which was passed on December 17, 2018, and which amended the Subdivision Ordinance.

4. This document is not a contract; rather, it states the terms and conditions upon which the City hereby approves the Plat of the Section and authorizes early recordation of that Plat with the Brazoria County Clerk, pursuant to all terms and conditions of this document and the Early Platting Ordinance.

5. The Plat of the Section may be recorded with the Brazoria County Clerk upon payment to the City of the amounts required by this document and upon inclusion on that Plat of the notations required by Section Three of the Early Platting Ordinance.

6. After the Plat of the Section has been lawfully recorded pursuant to this document, then the fact that the Facilities in the Section have not been completed shall not be a cause to deny approval of the plat of the Section and shall not be a cause to deny early plat approval and building permits for the Section under the terms and conditions of the Early Platting Ordinance.

7. The Developer shall deposit with the City (1) the Deposited Funds for the purposes described herein and set forth on **Exhibit "A" attached hereto**, in lieu of the completion of the Facilities in the Section before recordation as would otherwise be required by City regulations; and (2) the City's Administrative Fee under the Early Platting Ordinance. The City's holding and use of the Deposited Funds and the Administrative Fee shall be governed by the Early Platting Ordinance and this document.

Copy

8. Regardless of any other provision, the funds paid hereunder shall not be an escrow, and the City shall not be an escrow agent, regardless whether any attachments to this document or any other sources refer to escrowed funds or similar phrases. Regardless of any provision, the City shall not under any circumstances owe any fiduciary duty to Developer or any other person in any way concerning this document, the subject matter hereof, or any funds paid hereunder.

9. The City Engineer has the right under the Early Platting Ordinance to require the deposit of additional funds at any time, if the City Engineer determines in his sole, good faith discretion, that the then remaining Deposited Funds are less than 110% of the then remaining construction cost of the Facilities.

10. The parties understand that the Deposited Funds represent the funds set aside for the Developer to make payments under construction contracts for the Facilities entered into by the District and/or Developer (the "Contract", whether one nor more), under which Contract payments are guaranteed by the Developer. Therefore, the Developer may draw upon the Deposited Funds monthly to satisfy progress payments under the Contract for the Facilities; provided that (1) the amount of the Deposited Funds shall never be reduced to less than 110% of the then remaining cost to complete the construction of the Facilities, as determined by the City Engineer in his sole, good faith discretion; and further provided that (2) the Developer is not in default under this document or the Early Platting Ordinance. The time of remittance of any required, qualifying progress payments from the City to the Developer shall be within 7 days after a regular City Council meeting, if the City receives a written request therefor no later than 5

days before that City Council meeting, and such request shows, to the reasonable satisfaction of the City, that the progress payment is valid and required.

11. The return of any unused portion of the Deposited Funds to the Developer upon completion of the Facilities shall be as provided in the Early Platting Ordinance. However, the Administrative Fee shall be nonrefundable and may be used for any purpose.

12. The City has an interlocal agreement with Brazoria County, providing that the City, not Brazoria County, shall regulate subdivision plats in the City's extraterritorial jurisdiction.

13. This document implements the Early Platting Ordinance, which provides exceptions to certain requirements of the Subdivision Ordinance, but this document does not otherwise waive any requirements of the Subdivision Ordinance.

14. The Developer certifies that it does not boycott the State of Israel and will not boycott the State of Israel during the term of this document.

EFFECTIVE DATE: FEBRUARY 28, 2022

CITY OF IOWA COLONY, TEXAS

Copy

By: _____
Michael Byrum-Bratsen, Mayor

ATTEST:

_____
Kayleen Rosser, City Secretary

ACCEPTED:

ASTRO SIERRA VISTA, L.P.,
A Delaware Limited Partnership

By: ASTRO SIERRA VISTA GP, L.L.C.
A Delaware Limited Liability Company,
As Its General Partner

By: _____
Melanie Ohl
Authorized Signer

Copy

EXHIBIT "A" to
Terms and Conditions of Early Plat Approval

Letter of Recommendation
With Its Attachment(s)

Copy

ADICO
CONSULTING ENGINEERS

Wednesday, February 16, 2022

Mayor Michael Byrum-Bratsen
c/o City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Sierra Vista West Section 9
Brazoria County Municipal Utility District No. 53
Astro Sierra Vista, L.P.
Early Plat Application Request
Letter of Recommendation to Approve
Adico Project No. 21001-15

Dear Mayor Byrum-Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has received an Early Plat Application Request (attached) on or about October 28, 2021, from Elevation Land Solutions, on behalf of Astro Sierra Vista, L.P., for Sierra Vista West Section 9. The Developer is proposing to record the plat in accordance with the City of Iowa Colony Subdivision Ordinance, as amended per Ordinance 2018-30.

Infrastructure construction plans have been approved and construction is currently ongoing. Sierra Vista West Section 9 Revised Final Plat was approved by Planning Commission in February 2022 and is currently on the City Council Agenda for approval.

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SIERRA VISTA WEST SECTION 9 EARLY PLAT ESCROW SUMMARY					
Contract	**Contractor**	**Original Contract**	**Change Orders**	**Confirmed Payments**	**Applicable Early Plat Portion**
Water, Sanitary and Drainage	Principal Services, LTD	$ 1,365,425.84		$ 1,147,370.26	$ 218,055.58
Paving	Bay Utilities	$ 1,006,396.50			$ 1,006,396.50
Total Remaining Contract Amount					**$ 1,224,452.08**
Contingency @ 10%					**$ 122,445.21**
Total Escrow of Cash Deposit due to City (within 10 days of CC approval)					**$ 1,346,897.29**
Administrative Fee @ 2% of $1,346,897.29 Due at time of application					***$ 26,937.95***
Admin Fee @ 50% per agreement re Street Lights. Remaining Credit: $604.86					$ 26,333.09

Elevation Land Solutions has provided copies of bid documents, pay estimates, Affidavit of Bills Paid, Waiver and Lien Release upon Partial Payment and payment acknowledgements for this project. Based on our review of the documentation provided, the amount remaining on the current contracts is $1,224,452.08. Per the Ordinance, a cash deposit of 110% of the remaining construction cost is required to be escrowed with the City. The total cash deposit shall be $1,346,897.29.

In addition, a 2% administrative fee based on remaining construction cost is required at the time of application submittal. The calculated administrative fee is $26,937.95. This fee is reduced by 50% based on the Letter of Understanding dated December 21, 2020, regarding the illuminated street sign credit. The remaining credit on the Letter of Understanding is $604.86 from previous early plat applications. The total administrative fee shall be $26,333.09.

Based on our review of the documents provided, we have no objections to the Early Plat Application Request for Sierra Vista West Section 9. This approval is contingent on City Council approving the revised final plat on the current agenda.

The Developer shall provide the cash deposit in the amount of $1,346,897.29 to the City within 10 working days from the date of the agreement, if approved by City Council.

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh Ho, P.E.

Dinh V. Ho, P.E.
TBPE Firm No. 16423

cc: Kayleen Rosser, City Secretary (krosser@iowacolonytx.gov)
Robert Hemminger, City Manager (rhemminger@iowacolonytx.gov)
Larry Boyd, City Attorney (larryboyd@swbell.net)

Copy

ELEVATION
land solutions

January 20, 2022

Dinh V. Ho, PE
Adico Consulting Engineers
On behalf of City of Iowa Colony
2114 El Dorado Blvd., Suite 400
Friendswood, Texas 77546

Re: Early Plat Release Application Request
Sierra Vista West Section 9

Mr. Ho:

On behalf of Land Tejas, this letter is to formally request the City of Iowa Colony process an application for an early plat escrow in connection with Sierra Vista West Section 9. Our intention is to obtain a recorded plat by March subject to City Council approval and deposit of escrowed funds per the agreement.

This escrow is proposed to include funds to complete the construction of water, sanitary, drainage and paving for the above referenced project. Construction of the project is currently in progress, and we anticipate will be complete by March.

Exhibit A (attached) is a summary of the contract amounts and estimates for this project which is the basis for calculating the 2% administrative fee per the City's policy. The calculated fee is reduced based on the Letter of Understanding dated December 21,2020 regarding the illuminated street sign credit. Land Tejas will be submitting this fee to City Hall concurrently with this request.

If you have any questions, please call us.

Best Regards,

Travis H. Harrison, PE
Project Manager

Cc: Josh Wadley – Land Tejas

Copy

ELEVATION
land solutions

CITY OF IOWA COLONY - CONSTRUCTION ESCROW SUMMARY
SIERRA VISTA WEST SECTION 9

January 25, 2022

Project	Contractor	Original Contract Amount	Change Orders	Current Contract Amount	Payments to Date	Remaining Contract Amount
1. Section 9 WSD	Principal	$ 1,365,425.84	$ -	$ 1,365,425.84	$ 1,147,370.26	$ 218,055.58
2. Section 9 Paving	Bay	$ 1,006,396.50	$ -	$ 1,006,396.50	$ -	$ 1,006,396.50

Total Construction Contract Remaining	$	1,224,452.08
Contingency (10%)		122,445.21
Total Escrow	$	1,346,897.29 (2)
City of Iowa Colony Administrative Fee (2%)	$	26,937.95
Applied Credit for Illuminated Street Name Signs Agreement (Remaining Credit)	$	(604.86)
Administrative Fee Due at Time of Application	$	26,333.09 (1)

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Notes:
(1) Administrative fee due to City of Iowa Colony at time of application.
(2) Escrow deposit due within 10 business days following City Council approval.

ELEVATION
land solutions

CITY OF IOWA COLONY - CONSTRUCTION ESCROW SUMMARY
SIERRA VISTA WEST SECTION 9
January 25, 2022

Project	Contractor	Original Contract Amount	Change Orders	Current Contract Amount	Payments to Date	Remaining Contract Amount
1. Section 9 WSD	Principal	$ 1,365,425.84	$ -	$ 1,365,425.84	$ 1,147,370.26	$ 218,055.58
2. Section 9 Paving	Bay	$ 1,006,396.50	$ -	$ 1,006,396.50	$ -	$ 1,006,396.50

Total Construction Contract Remaining	$	1,224,452.08
Contingency (10%)		122,445.21
Total Escrow	$	1,346,897.29 (2)
City of Iowa Colony Administrative Fee (2%)	$	26,937.95
Applied Credit for Illuminated Street Name Signs Agreement (Remaining Credit)	$	(604.86)
Administrative Fee Due at Time of Application	$	26,333.09 (1)

Copy

Notes:
(1) Administrative fee due to City of Iowa Colony at time of application.
(2) Escrow deposit due within 10 business days following City Council approval.

January 28, 2022

Principal Services, Ltd.

27080 Mandell Road

Cleveland, TX 77328

Project: Construction of Water, Sanitary, Drainage for Sierra Vista West Section 9

Acknowledgement of payment:

I, Destiny Kennedy, of Principal Services, Ltd. confirm that we have been paid for the following pay estimates listed below:

Pay Estimate #1	$ 796,068.94
Pay Estimate #2	$ 351,301.32
Total Paid to date	$1,147,370.26

Copy

Signed:

Principal Services, Ltd.

By: Destiny Kennedy

Date: 1-28-22

ADICO
CONSULTING ENGINEERS

Thursday, February 17, 2022

Mayor Michael Byrum-Bratsen
c/o City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Sierra Vista West Section 7 Early Plat
Brazoria County Municipal Utility District No. 53
Letter of Recommendation to Approve Disbursement Request No. 2., Feb 2022
Adico Project No. 21001-05

Dear Mayor Byrum-Bratsen and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has reviewed Disbursement Request No. 2 from Land Tejas Sierra Vista West, LLC for Sierra Vista West Section 7 Early Plat Recordation Agreement.

Elevation Land Solutions has provided copies of the approved pay estimates and supporting documents for our review. Below is a brief overview.

ESCROW AMOUNT:						$ 1,582,258.86
CONTINGENCY @ 10%						$ 158,225.89
TOTAL ESCROW AND CONTINGENCY DEPOSIT						$ 1,740,484.75
	Date of Request	Request Subtotal	10% Contingency	Change Orders	Total Disbursement	Remaining Escrow
Disbursement Request No. 1	Dec-21	$ 769,566.63	$ 76,956.66		$ 846,523.29	$ 893,961.45
Disbursement Request No. 2	Feb-22	$ 704,050.11	$ 70,405.01	$ 18,492.10	$ 755,963.02	$ 137,998.43
TOTALS		$ 1,473,616.74	$ 147,361.67	$ 18,492.10	$ 1,602,486.31	$ 137,998.43

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Based on our review of the documentation provided, Adico has no objections to Disbursement Request No. 2 to Land Tejas Vista West, LLC in the amount of $755,963.02. After Disbursement No. 2, the remaining balance of the cash deposit is $137,998.43.

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

cc: Kayleen Rosser, City Secretary (krosser@iowacolonytx.gov)
Robert Hemminger, City Manager (rhemminger@iowacolonytx.gov)

LAND ★ TEJAS
COMPANIES
DEVELOPER OF CANYON GATE COMMUNITIES®

MELANIE OHL
CHIEF FINANCIAL OFFICER

February 1, 2022

Dinh V. Ho, P.E.
Principal
Adico Consulting Engineers
2114 El Dorado Blvd., Suite 400
Friendswood, TX 77546

RE: Land Tejas Sierra Vista West, LLC
Construction and Escrow Agreement-Disbursement
Sierra Vista West Sec. 7 Draw #2-February

Dear Dinh:

Please find enclosed a worksheet for disbursement for a portion of our cash deposit and copies of the invoices to pay the following vendor(s):

Copy

Rodriguez Construction Group	$ 272,376.33	Section 7 WSD
Rodriguez Construction Group	$ 414,862.78	Section 7 Paving
February Contingency Refund	$ 68,723.91	
Total	$ 755,963.02	

Please review the enclosed and if in agreement, recommend the City reimburse to Land Tejas Sierra Vista West, LLC the amount of $755,963.02 of our escrowed funds. Wiring instructions are attached for your convenience.

Sincerely,

Melanie Ohl

Melanie Ohl
Chief Financial Officer

2450 FONDREN RD, SUITE 210 HOUSTON, TX 77063 TEL: 713.783.6702 FAX: 713.783.2673 WWW.CANYONGATE.COM

SD

Manhard CONSULTING

ESCROW SUMMARY FOR ALL PROJECTS SERVING
SIERRA VISTA WEST SECTION 7

January 31, 2022

ORIGINAL ESCROW SUMMARY																
Construction Contract	Contractor	Contract Amount (A)	Change Orders (B)	Revised Contract Amount (A + B)	Escrowed Amount	10% Contingency	Total Escrow	Total Refund to Date	February Draw Request	February Contingency Refund	February Refund	Remaining Escrow Balance	Deduction of Change Order Not Escrowed	February Refund (Net of Required Cash Deposit For CO)	Remaining Escrow Balance
1. Section 7 WSD	Rodriguez Const. Group	1,509,200.00	$ -	$ 1,509,200.00	$ 363,823.52	$ 36,382.35	$ 400,205.87	$ (100,591.91)	$ (255,565.33)	$ (25,556.53)	$ (281,121.86)	$ 18,492.10	$ (18,492.10)	$ (299,613.96)	$ -
1. Section 7 Paving	Rodriguez Const. Group	1,332,400.00	$ -	$ 1,332,400.00	$ 1,218,435.34	$ 121,843.53	$ 1,340,278.87	$ (745,931.38)	$ (414,862.78)	$ (41,486.28)	$ (456,349.06)	$ 137,998.43		$ (456,349.06)	$ 137,998.43
					$ 1,582,258.86	$ 158,225.89	$ 1,740,484.75	$ (846,523.29)	$ (670,428.11)	$ (67,042.81)	$ (737,470.92)	$ 156,490.53	$ (18,492.10)	$ (755,963.02)	$ 137,998.43
								$ 893,961.45							

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P:\Data\757 Land Tejas Sierra Vista West, LLC\MONTHLY DRAW\COIC\Sec 7\SV West Sec 7 Escrow Draw #2

CITY OF IOWA COLONY, TEXAS
PUBLIC NOTICE

At the City Council meeting to be held on Monday, February 28, 2022 at 7:00 p.m. at Iowa Colony City Hall, the City Council will consider engaging Norton Rose Fulbright US LLP as disclosure counsel in connection with the issuance of its certificates of obligation.

Pursuant to Section 2254.1036, Texas Government Code, the following written notice is given to the public:

1. The reason for pursuing issuance of the obligations (the matter that is the subject of the legal services for which the attorney or law firm would be retained) is to finance infrastructure improvements. The desired outcome of the matter is to issue obligations in accordance with federal securities law.

2. Norton Rose Fulbright is nationally recognized in the field of municipal law and among the largest municipal law firms in the nation. They have advised thousands of clients on federal securities matters. Norton Rose Fulbright has extensive experience as disclosure counsel for governmental entities.

3. Norton Rose Fulbright has previously served as disclosure counsel to the Iowa Colony Development Authority.

4. The City does not have attorneys and/or supporting personnel who can perform this legal work.

5. The City cannot reasonably engage attorneys for these services under an hourly fee contract without contingency because then the City would have to pay such attorneys their fee from its unrestricted general funds, and such amounts are needed for other uses.

6. A contingent fee contract for these legal services is in the best interest of the City because it is a fixed fee and only due when bonds are issued.

Copy

I hereby certify that the above pubic notice of the City of Iowa Colony, Texas was posted in accordance with the Texas Open Meetings Act (Chapter 551 of the Texas Government Code) on February 24, 2022.

Kayleen Rosser

Kayleen Rosser, City Secretary